

***United States Court of Appeals  
for the Second Circuit***



**APPENDIX**





# 75-7210

IN THE UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

EULA LEE BLOWERS, individually and on behalf  
of all other persons similarly situated,

Plaintiff-Appellant,

PATRICIA LOUGHNEY, et al.,

Plaintiffs-Appellants,

MARY NAGEOTTE, et al.,

Plaintiffs-Appellants,

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Applicant for Intervention-Appellant,

v.

LAWYERS COOPERATIVE PUBLISHING COMPANY, INC., et al.

Defendants-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

JOINT APPENDIX  
VOLUME III, PAGES 344-470

EMMELYN S. LOGAN-BALDWIN  
510 Powers Building  
Rochester, New York 14614  
Attorney for Plaintiffs-  
Appellants

JOHN B. MCCRORY  
JAMES H. MORGENSTERN  
NIXON, HARGRAVE, DEVANS  
& DOYLE  
Lincoln First Tower  
Rochester, New York 14603  
Attorneys for Defendants-  
Appellees

JULIA P. COOPER  
Acting General Counsel  
JOSEPH T. EDDINS  
Associate General Counsel  
BEATRICE ROSENBERG  
CHARLES L. REISCHEL  
JAMES P. SCANLAN  
Attorneys  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
2401 E Street, N.W.  
Washington, D.C. 20506



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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK [Filed 12/3/74]

PATRICIA LOUGHNEY and GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN

Plaintiffs

-v-

LAWYERS COOPERATIVE PUBLISHING COMPANY, INC.

Defendant

ANSWERS TO FIRST  
INTERROGATORIES  
PROPOUNDED BY  
DEFENDANT  
Civil 1973-238

Plaintiffs, Patricia Loughney and Genesee Valley Chapter of the National Organization For Women, by its current co-president, Sheila Molnar, answer the First Interrogatories Propounded By Defendant served on the plaintiffs by mail postmarked January 8, 1974 pursuant to the order and decision of the Court dated October 29, 1974.

Interrogatory 1

(a) Plaintiffs do not know of any female person who has applied for the job classification of purchasing agent. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(b) Not applicable.

(c) Plaintiffs do not know of any female person who has applied for the job classification of accountant. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers

2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(d) Not applicable.

(e) Plaintiffs do not know of any female person who has applied for the job classification of computer librarian. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(f) Not applicable.

(g) Plaintiffs do not know of any female person who has applied for the job classification of truck driver. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(h) Not applicable.

(i) Plaintiffs do not know of any female person who has applied for the job classification of pressman. The information



is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(j) Not applicable.

(k) Plaintiffs do not know of any female person who has applied for the job classification of managing editor. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(l) Not applicable.

(m) Plaintiffs believe that Antoinette Ruffner applied for the job classification of professional interviewer. Basis of plaintiffs' belief is Ms. Ruffner's testimony in Blowers, individually and on behalf of all other persons similarly situated v. Lawyers Cooperative Publishing Company, et al, Civil Action September 20, 1974. Plaintiffs do not know of other female persons who have applied for the job classification of professional interviewer. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has

declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(n) Antoinette Ruffner, 452 Alexander Street, Apartment #3, Rochester, New York. Personnel assistant with defendant Lawyers Cooperative Publishing Company, July 15, 1968-August 23, 1971. Various oral communications between Antoinette Ruffner and employees of defendant Lawyers Cooperative Publishing Company Personnel Department during Ms. Ruffner's dates of employment.

(o) Plaintiffs do not know of any female person who has applied for the job classification of printing personnel. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(p) Not applicable.

(q) Plaintiffs do not know of any female person who has applied for the job classification of systems analyst. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(r) Not applicable.



(s) Plaintiffs do not know of any female person who has applied for the job classifications of "certain machine operators". The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(t) Not applicable.

(u) Plaintiffs believe that Eula Lee Blowers applied for the managerial position of "manager of editorial services". The basis of this belief is the substance of complaints which Eula Lee Blowers has filed with the New York State Division of Human Rights and/or this Court charging company-wide, class-wide discrimination in employment. Plaintiffs do not know of other female persons who have applied for managerial positions. The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(v) Eula Lee Blowers, 50 Joanne Drive, Rochester, New York. Employed by defendant May, 1960-December 3, 1971, last classification, supervisor, Advance Reading Department. Conversations with employees of defendant during dates of employment, including personnel director Donald Bennett.



(w) Plaintiffs do not know of any female person who has applied for the job classifications of "all positions above managerial level". The information is in the control of the defendant. Plaintiffs requested production of documents from the defendant containing this information by Notice To Produce, dated February 8, 1974 (see particularly numbers 2, 3, 4, 14, 16-21, 23-29); defendant has declined to produce the documents. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants.

(x) Not applicable.

(y) Plaintiffs do not know of a particular female that is qualified to hold the job classification of purchasing agent. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of purchasing agent.

(z) Not applicable.

(aa) Plaintiffs do not know of a particular female that is qualified to hold the job classification of accountant. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descrip-

tions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of accountant.

(bb) Not applicable.

(cc) Plaintiffs do not know of a particular female that is qualified to hold the job classification of computer librarian. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of computer librarian.

(dd) Not applicable.

(ee) Plaintiffs do not know of a particular female that is qualified to hold the job classification of truck driver. Any female person who has the experience and/or educational background for the position or who could acquire the experience of educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on



the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of truck driver.

(ff) Not applicable.

(gg) Plaintiffs do not know of a particular female that is qualified to hold the job classification of pressman.. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of pressman..

(hh) Not applicable.

(ii) Plaintiff Loughney believes that Ruby Weeks, Helen Brooks and Ann Vann are female persons who are qualified to hold the job classification of managing editor. The basis of this belief is plaintiff Loughney's knowledge of these persons' long employment with the defendant as editors. Plaintiffs do not know of other particular females who are qualified to hold the job of managing editor. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated

February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of managing editor.

(jj) Ruby Weeks, 1 Aqueduct Street, Rochester, New York - editor; Helen Brooks, 1 Aqueduct Street, Rochester, New York - editor; Ann Vann, Rochester, New York - editor.

(kk) Plaintiffs believe that Antoinette Ruffner is qualified to hold the job classification of professional interviewer. Plaintiffs' belief is based on Ms. Ruffner's testimony in Eula Lee Blowers, individually, and on behalf of all other persons similarly situated v. Lawyers Cooperative Publishing Company, et al

Civil Action 1973-47, September 20, 1974. Plaintiffs do not have knowledge of other females who are qualified for the position. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of professional interviewer.

(ll) Antoinette Ruffner, 452 Alexander Street, Apartment #3, Rochester, New York - personnel assistant.

(mm) Plaintiffs do not know of a particular female that is qualified to hold the job classifications of "printing personnel". Any female person who has the experience and/or educational back-



ground for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the jobs of "printing personnel".

(nn) Not applicable.

(oo) Plaintiffs do not know of a particular female that is qualified to hold the job classification of systems analyst. Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the job of systems analyst.

(pp) Not applicable.

(qq) Plaintiffs do not know of a particular female that is qualified to hold the job classifications of "certain machine operators". Any female person who has the experience and/or educational background for the position or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have request-

ed production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the jobs of "certain machine operators".

(rr) Not applicable.

(ss) Plaintiff Loughney believes that Eula Lee Blowers, Nancy Loughney, Helen Brooks and Mary Carey are particular female persons who are qualified to hold "managerial positions" at Lawyers Cooperative Publishing Company. The basis of plaintiff Loughney's belief is her knowledge of the long employment of these females with Lawyers Cooperative Publishing Company. Plaintiffs do not know of other particular females who are qualified for the positions. Any female person who has the experience and/or educational background for the positions or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the jobs of "managerial positions".

(tt) Eula Lee Blowers, 50 Joanne Drive, Rochester, New York - supervisor, Advance Reading Department; Helen Brooks, 1 Aqueduct Street, Rochester, New York - editor; Mary Carey, 1 Aqueduct Street, Rochester, New York - plaintiff Loughney believes an editorial specialist.



(uu) Plaintiffs do not know of a particular female that is qualified to hold the job classifications "positions above managerial level". Any female person who has the experience and/or educational background for the positions or who could acquire the experience or educational background is qualified. This information is in the control of the defendant. Plaintiffs have requested production of the job descriptions of the various positions at Lawyers Cooperative Publishing Company in Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information. Plaintiffs, on the basis of information developed by the New York State Division of Human Rights in investigating their company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company, believe that defendant has excluded female applicants from the jobs of "positions above managerial level".

(vv) Not applicable.

#### Interrogatory 2

(a) Plaintiffs believe that all female employees of Lawyers Cooperative Publishing Company who have been limited in employment opportunities by Lawyers Cooperative Publishing Company by being placed in all-female, ghetto departments have been placed in low, menial job classifications and required to perform work of high, technical and professional caliber and classification. The basis of this belief is the investigation of plaintiffs' company-wide, class-wide claims of employment discrimination against Lawyers Cooperative Publishing Company by the New York State Division of Human Rights. For example, females employed in the Advance Reading Department have been classified "clerical" while performing work of high, technical and professional caliber and classification. Plaintiffs believe that there are other classifications besides the "female ghetto" classifications where female employees have been similarly limited. The information is in the control of the defendant. Plaintiffs have made request of the defendant for

the production of this information in Notice To Produce, dated February 8, 1974. Defendant has declined to produce this information.

(b) Plaintiff Loughney believes, on the basis of her work with defendant Lawyers Cooperative Publishing Company and knowledge of the classification and work of the following females that they have been placed in low, menial job classifications while required to perform work of high, technical and professional caliber and classification: Cindi Knapp, 1 Aqueduct Street, Rochester, New York - accounting clerk level 3; Carol Masley, 1 Aqueduct Street, Rochester, New York - editorial aide; Patricia Loughney Johns, 1 Aqueduct Street, Rochester, New York - indexing specialist; Suzanne Petsos, 1 Aqueduct Street, Rochester, New York - indexing specialist; Beth Cochran, 1 Aqueduct Street, Rochester, New York - indexing specialist; Nancy Loughney, 1 Aqueduct Street, Rochester, New York - product administration co-ordinator; Mary Marianetti, 1 Aqueduct Street, Rochester, New York - indexing specialist trainee; Helen Reichert, 1 Aqueduct Street, Rochester, New York - editorial specialist; Elizabeth Dixon, 1 Aqueduct Street, Rochester, New York - plaintiff Loughney believes, editorial specialist; Mary Carey, 1 Aqueduct Street, Rochester, New York - plaintiff Loughney believes, editorial specialist; Jean Howard, 1 Aqueduct Street, Rochester, New York - plaintiff Loughney believes, editorial specialist; Mary Nageotte, 1 Aqueduct Street, Rochester, New York - library correspondent.

#### Interrogatory 3

(a) Plaintiffs believe that defendant maintains a policy, practice, custom and usage of filling only certain jobs with women and certain other jobs with men. Those jobs include, without intending to limit, the jobs which have been identified by the New York State Division of Human Rights as the "women's work" jobs in the female ghetto departments. Plaintiffs believe that there are other such jobs. The information is in the control of the defend-



ant. Plaintiffs have made due demand for the production of this information in Notice To Produce, dated February 8, 1974. Defendant has declined to produce that information. (Female ghetto departments identified by the New York State Division of Human Rights to date, include Advance Reading, Transcribing, Editorial-Clerical, Testing, Citation Testing, Order Processing, Customer Records, Collection, Schedule and Control, Accounting. On the basis of plaintiff Loughney's work and/or knowledge of work performed, the affected classifications also include indexing specialists, editorial specialists and product administration co-ordinator in Marketing.

(b) Plaintiffs have used and believe that the New York State Division of Human Rights has used in its analysis of employment practices of defendant an examination of the background, skill education and experience of female employees compared to the background, skills, education and experience of male employees performing the same or similar work. Plaintiffs have and plaintiffs believe the New York State Division of Human Rights has compared salaries of women employees with the salaries of men employees in similar situations, has compared the job title and classification of women employees and men employees in similar work situations, has analysed the exempt and non-exempt classifications of men and women employees in similar situations and has analysed the salary advancement history of women and men employees in similar situations - all to the extent that that information is presently available to the plaintiffs. As previously noted, the information is in the control of the defendant. Plaintiffs have made due demand for the production of this information in Notice To Produce dated February 8, 1974. Defendant has declined to produce the information.

#### Interrogatory 4

(a) Plaintiffs believe that defendant has low-paying jobs. The basis of plaintiffs' belief is the analysis of the employment experience of female employees of defendant compared with the employment experience of male employees, to the extent that the

(f) Plaintiffs believe those jobs include the jobs in those departments which the New York State Division of Human Rights has identified as the jobs in female ghetto departments - Advance Reading, Transcribing, Editorial-Clerical, Testing, Citation Testing, Order Processing, Customer Records, Collection, Schedule and indexing specialist, indexing clerk and editorial aid Control and Accounting-/- Plaintiffs believe there are other such jobs. The information is in the control of the defendant. Plaintiffs have made due demand for the production of this information by Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information.

(g) Plaintiffs believe that defendant has designated certain jobs for women and has placed low salaries for those jobs, menial classifications on those jobs, for example, the classification of clerical for a job such as advance reading which is professional caliber, and has limited advancement of females from those jobs.

(h) Plaintiffs believe those jobs include the jobs in those departments which the New York State Division of Human Rights has identified as the jobs in female ghetto departments - Advance Reading, Transcribing, Editorial-Clerical, Testing, Citation Testing, Order Processing, Customer Records, Collection, Schedule and indexing specialist, indexing clerk and editorial aid Control and Accounting-/- Plaintiffs believe there are other such jobs. The information is in the control of the defendant. Plaintiffs have made due demand for the production of this information by Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information.

(i) Plaintiffs believe that defendant has designated certain jobs for women and has placed low salaries for those jobs, menial classifications on those jobs, for example, the classification of clerical for a job such as advance reading which is professional caliber, and has limited advancement of females from those jobs.

(j) Plaintiffs believe those jobs include the jobs in those departments which the New York State Division of Human Rights



has identified as the jobs in female ghetto departments - Advance Reading, Transcribing, Editorial-Clerical, Testing, Citation Testing, Order Processing, Customer Records, Collection, Schedule and Control and Accounting-/ Plaintiffs believe there are other such and indexing specialist, indexing clerk and editorial aid jobs. The information is in the control of the defendant. Plaintiffs have made due demand for the production of this information by Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information.

#### Interrogatory 5

(a) Plaintiff Loughney believes that she has been excluded from all training programs of the defendant. The basis of plaintiff's information is the investigation of the company-wide, class-wide employment discrimination complaints which she made to the New York State Division of Human Rights. That investigation found that "Women are eliminated from apprenticeship training... There have been no efforts to include women in the Apprenticeship Training Program." Plaintiff Loughney has made due demand on the defendant to produce information on each of the apprenticeship or training programs by Notice To Produce dated February 8, 1974. Defendant has declined to produce that information.

(b) Plaintiffs believe that females are excluded from training programs at Lawyers Cooperative Publishing Company. The basis for their belief is the investigation of the company-wide, class-wide employment discrimination complaints which they made to the New York State Division of Human Rights. That investigation found that "Women are eliminated from apprenticeship training... There have been no efforts to include women in the Apprenticeship Training Program." Plaintiffs have made due demand on the defendant to produce information on each of the apprenticeship or training programs by Notice To Produce dated February 8, 1974. Defendant has declined to produce that information.

(c) Plaintiffs believe that females are excluded from training programs at Lawyers Cooperative Publishing Company. The

basis for their belief is the investigation of the company-wide, class-wide employment discrimination complaints which they made to the New York State Division of Human Rights. That investigation found that "Women are eliminated from apprenticeship training... There have been no efforts to include women in the Apprenticeship Training Program." Plaintiffs have made due demand on the defendant to produce information on each of the apprenticeship or training programs by Notice To Produce dated February 8, 1974. Defendant has declined to produce that information.

(d) On the basis of the company-wide, class-wide complaints of discrimination filed with the New York State Division of Human Rights or pending before this Court and on the basis of plaintiff Loughney's work experience, plaintiff Loughney believes that Eula Lee Blowers, 50 Joanne Drive, Rochester, New York was excluded from training in management, that Maureen O'Halloran, 1 Aqueduct Street, Rochester, New York has been excluded from training in indexing, that Jeanette Geith, 1 Aqueduct Street, Rochester, New York, has been excluded from training in the editorial-clerical department, that Pat Loughney Johns, Suzanne Petsos and Beth Cochran, 1 Aqueduct Street, Rochester, New York, have been excluded from training in the indexing department.

#### Interrogatory 6

(a) Plaintiff Loughney has sought classification as editorial specialist, Galley Proofs writer, correspondent and indexing specialist.

(b) Plaintiff Loughney sought the classification of editorial specialist in various conversations with her supervisor, Leonard Reiser, Thomas Gosnell and William Shipley, at various times between August, 1969 to date. Plaintiff Loughney sought the classification of Galley Proofs writer by letter to personnel director Donald Bennett, dated late winter, 1969 or early spring, 1969. Plaintiff Loughney sought the classification of correspondent through conversations with Leonard Reiser, John Wright and Frank Ford between October, 1974 and November 3604. Plaintiff Loughney sought



the classification of indexing specialist through conversations at various times between August, 1969 to date of receiving that classification, conversations being with Leonard Reiser, Thomas Gosnell and William Shipley.

(c) On the basis of the employment discrimination complaints pending against the defendant before the New York State Division of Human Rights or this Court, plaintiffs believe that many female persons have sought assignment to job classifications that are either career or supervisory or management oriented or have that orientation but have been denied such classification.

(d) Plaintiffs believe that women as a class have sought assignment to job classifications that are either career or supervisory or management oriented or have these orientations but that the defendant has denied such classification to women as a class. The information is in the control of the defendant. Plaintiffs have made due demand for the production of that information by Notice To Produce, dated February 8, 1974. Defendant has declined to produce that information. All of the named plaintiffs in Blowers, individually, and on behalf of all other persons similarly situated v. Lawyers Cooperative Publishing Company, et al, Civil Action 1973-Loughney and N.O.W. v. Lawyers Cooperative Publishing Company, Civil Action 1973-238; and Nageotte and N.O.W., et al v. Lawyers Cooperative Publishing Company, Civil Action 1973-346, are included in this class of persons.

#### Interrogatory 7

(a) Plaintiff Loughney has sought classification as editorial specialist, Galley Proofs writer, correspondent and indexing specialist.

(b) Plaintiff Loughney sought the classification of editorial specialist in various conversations with her supervisor, Leonard Reiser, Thomas Gosnell and William Shipley, at various times, between August, 1969 to date. Plaintiff Loughney sought the classification of Galley Proofs writer by letter to personnel

director Donald Bennett, dated late winter, 1969 or early spring, 1969. Plaintiff Loughney sought the classification of correspondent through conversations with Leonard Reiser, John Wright and Frank Ford between October, 1974 and November, 1974. Plaintiff Loughney sought the classification of indexing specialist through conversations at various times between August, 1969 to date of receiving that classification, conversations being with Leonard Reiser, Thomas Gosnell and William Shipley.

(c) On the basis of plaintiff Loughney's work experience she believes that female employees have sought transfer or promotion with the company. This information is in the control of the defendant. Plaintiffs have made due demand for the production of that information by Notice To Produce, dated February 8, 1974. Defendant has declined to produce the information.

(d) On the basis of plaintiff Loughney's work experience she believes that the following employees, in addition to herself, as outlined above, have sought transfer or promotion: Eula Lee Blowers, 50 Joanne Drive, Rochester, New York sought the job of manager of editorial services; Beth Cochran, 1 Aqueduct Street, Rochester, New York sought the job of indexing specialist; Suzanne Petson, 1 Aqueduct Street, Rochester, New York sought the job of indexing specialist; Cindi Knapp, 1 Aqueduct Street, Rochester, New York sought the job of accounting clerk and the job of production administration co-ordinator; Maureen O'Halloran, 1 Aqueduct Street, Rochester, New York sought the job of indexing clerk and the job of indexing specialist; Carol Masley, 1 Aqueduct Street, Rochester, New York sought the job of indexing specialist and the job of editorial aide; Ann Daverin, 1 Aqueduct Street, Rochester, New York sought the job of testing or citations, the job of indexing specialist, the job of correspondent, the job of office clerk; Nancy Loughney, 1 Aqueduct Street, Rochester, New York sought the job of production administration co-ordinator.



### Interrogatory 8

(a) On the basis of her work experience, plaintiff Loughney believes that the following male employees perform the same or similar work as she does and believes that the male employees are paid more for the same or similar work: Robert Gascoyne, 1 Aqueduct Street, Rochester, New York; Donald Evins, 1 Aqueduct Street, Rochester, New York; Donald Vaccaro, 1 Aqueduct Street, Rochester, New York; James Isham, 1 Aqueduct Street, Rochester, New York; Locke Bounds, 1 Aqueduct Street, Rochester, New York; William Thomey, 1 Aqueduct Street, Rochester, New York; Leonard Reiser, 1 Aqueduct Street, Rochester, New York; Job Sandoval, 1 Aqueduct Street, Rochester, New York; Donald Barrett, 1 Aqueduct Street, Rochester, New York; Al Bock, 1 Aqueduct Street, Rochester, New York.

(b) Plaintiffs believe that female employees as a class receive less pay than male employees for the same or similar work. The basis of that belief is the investigation of the discrimination complaints against the defendant pending before the New York State Division of Human Rights and this Court. The information is in the control of the defendant. Due demand of the defendant to produce the information has been made by Notice To Produce, dated February 8, 1974. The defendant has declined to produce the information.

(c) On the basis of plaintiff Loughney's work experience she believes that, in addition to herself, the following employees are paid less for performing the same or similar work as males: Suzanne Petsos, 1 Aqueduct Street, Rochester, New York; Helen Reichert, 1 Aqueduct Street, Rochester, New York; Nancy Loughney, 1 Aqueduct Street, Rochester, New York; Beth Cochran, 1 Aqueduct Street, Rochester, New York; Mary Marianetti, 1 Aqueduct Street, Rochester, New York; Elizabeth Dixon, 1 Aqueduct Street, Rochester, New York; Mary Carey, 1 Aqueduct Street, Rochester, New York; Carol Masley, 1 Aqueduct Street, Rochester, New York; Cindi Knapp, 1 Aqueduct Street, Rochester, New York; Jean Howard, 1 Aqueduct Street, Rochester, New York.

ester, New York; Mary Nageotte, 1 Aqueduct Street, Rochester, New York.

#### Interrogatory 9

(a) On the basis of information developed in the investigation of the employment discrimination complaints against the defendant pending before the New York State Division of Human Rights and before this Court, plaintiffs believe that the defendant has fostered an atmosphere in the employment situation calculated to harass, embarrass and humiliate women employees and to keep women employees in "their place" by (1) inquiring of prospective female employees at the time of employment application of the books the female has read, the outside activities of the female, the associations of the female, whether the female is married, and if not, plans for marriage; if married, and no children, plans for children if children, plans for childcare. The defendant has persons who customarily observe women employees and take note of when they use the restroom or when they move within their departments or between departments of the company. Plaintiff Loughney has been, as have other women employees, subjected to a pre-employment physical by a female gynecologist which appeared to have no other purpose than to determine whether she was pregnant, whether she had any plans to be pregnant and whether she had any medical problems associated with her menstrual cycle. Defendant maintains and enforces a dress code which applies only to its women employees. Defendant declines to substantiate criticisms of female employees. Defendant has arbitrarily denied female employees wage increases to which they are entitled. Defendant has declined to give female employees accurate information on jobs and/or transfers or promotions. Defendant maintains discriminatory pay scales and job classifications for women. Defendant has physically arranged departments so that women employees are grouped on certain floors and has placed fixtures and furniture so that female employees can be observed at their work. Plaintiff Loughney has been criticized by her supervisor, Leonard Reiser, for having books stacked in front of her



which prevents supervisors from seeing what she has on her desk. Defendant keeps strict account of the hours kept by female employees but does not do so for male employees. Defendants have circulated to employees and to the public inaccurate and misleading information on the substance, scope and results of investigations into company-wide, class-wide employment discrimination at Lawyers Cooperative Publishing Company. See Exhibit A attached hereto and made a part hereof.

(b) On the basis of information developed in the investigation of the discrimination complaints against the defendant in the New York State Division of Human Rights or in this Court, plaintiffs believe that posters, signs and/or notes have been removed from employee work areas in the proof room, advance reading or brief epitomizing.

(c) On the basis of information developed in the investigation of the discrimination complaints against the defendant before the New York State Division of Human Rights and this Court, plaintiffs believe that the personal, private property of Eula Lee Blowers, 50 Joanne Drive, Rochester, New York, and Mary Nageotte, 1 Aqueduct Street, Rochester, New York, has been examined by company agents. On the basis of the same information, plaintiffs believe that the personal, private property of employees in the Advance Reading Department has also been examined by company agents.

(d) Plaintiffs believe that Fred Romano, 1 Aqueduct Street, Rochester, New York, occupies most of his time at Lawyers Cooperative Publishing Company observing the actions of women employees.

(e) Plaintiffs believe that Mary Nageotte, 1 Aqueduct Street, Rochester, New York, has been denied wage increases to which she is otherwise entitled. Plaintiffs believe that there are other female employees who have been denied wage increases to which they are otherwise entitled. The information is in the control of the defendant. Plaintiffs have made due demand for the

production of that information by Notice To Produce, dated February 8, 1974. Defendant has declined to produce that information.

(f) There is no paragraph 16(1) of the complaint about which defendant requests information in this interrogatory.

Interrogatory 10

Antoinette Ruffner, 452 Alexander Street, Apartment 3,  
Rochester, New York.

Interrogatory 11

1) Schweitzer's Medical Index (four-volume publication) completed on or about 3/27/72.

2) AID Index - completed spring of 1972.

3) ALR indexes -

<u>Job Numbers</u>	<u>Approximate Dates</u>
4568	4/26/72
5049	4/26/72
4381	4/27/72-5/2/72
4968	5/2/72
5011	6/23/72-6/28/72
4213	7/6/72
4972	8/24/72
4916	8/28/72
4462	8/29/72-9/14/72
3946	8/30/72-10/11/72
4753	10/30/72-11/28/72
4365	8/7/73-8/15/73
5020	8/23/73-8/28/73
3934	9/18/73-9/27/73
5333	10/26/73
5484	10/29/73
1561	10/29/73
5417	12/10/73-12/11/73
4938	12/14/73-12/19/73
1926	12/14/73
1585	1/8/74-1/24/74
4727	1/28/74-2/7/74
1632	1/29/74-2/7/74
1568	2/4/74-2/12/74
1985	2/26/74-3/5/74
5104	3/13/74-3/27/74
1913	3/22/74-4/5/74
2040	4/29/74-5/1/74
1750	4/29/74-5/8/74
1536	5/8/74-5/20/74
5026	6/6/74-6/12/74
4899	6/17/74-6/21/74
4867	6/19/74-6/25/74
2174	6/28/74
2042	6/28/74
2142	8/12/74-8/22/74
5498	8/14/74-9/13/74
5520	8/23/74



5019	8/29/74-9/11/74
4360	8/29/74-9/13/74
2099	8/29/74-9/19/74
5226	8/29/74-9/16/74
2096	9/3/74
2177	9/3/74-9/19/74
1787	9/3/74
1525	9/3/74-9/18/74
2058	10/25/74-10/30/74
2300	10/31/74-11/8/74
2061	11/1/74-11/6/74
2322	11/3/74-11/4/74
2146	11/15/74
1947	11/15/74-11/27/74

#### 4) ALR Federal Indexes

<u>Job Numbers</u>	<u>Approximate Dates</u>
4566	6/7/72
4731	6/17/72
4894	6/17/72-6/19/72
4792	10/12/72-10/20/72
1735	1/3/74-1/7/74
4039	4/5/74-4/16/74
3456	4/5/74-4/16/74
3159	4/30/74-5/6/74
3864	4/30/74-5/2/74
5195	6/7/74-6/12/74
1597	6/17/74-6/25/74
1833	6/17/74-6/25/74
5574	10/10/74-10/15/74

#### 5) L ed 2d Indexes

<u>Job Numbers</u>	<u>Approximate Dates</u>
7057	9/20/73-9/24/73
7182	4/8/74-4/22/74
7274	11/21/74

- 6) Mississippi Temporary Index - Job #6934 - 5/4/72-6/7/72
- 7) Defending Narcotics Cases - Job #6352 - 6/8/72-6/23/72
- 8) CLS - Multiple Dwelling Law - 6/28/72-7/6/72
- 9) CLS Supplement - Social Services Law - Job #6863 - 7/18/72-7/27/72
- 10) CLS Supplement - Transportation Law - Job #6863 - 8/1/72-8/2/73
- 11) Res Ipsa Loquitur - Job #6515 - 8/2/72-8/22/72
- 12) LMJ #2 - Schweitzer Medical Book - 8/3/72
- 13) Am Jur 2d Interim Index - Job #7048 - 9/25/72-8/7/73
- 14) Mississippi Military Justice Code - Job #6028 - 10/20/72
- 15) Blinder's Psychology in Law - Job #7036 - 10/24/72-11/10/72
- 16) Am Jur Proof of Facts - Job #7185 - 8/28/73-10/7/73

- 17) Williston on Sales - Job #6216 - 10/30/73
- 18) USCS - Title 26 - Income Tax - 2/12/74-2/20/74
- 19) NY Jur, new sections - Job #6614 - 3/25/74
- 20) CLS - Banking Law - Job #7288 - 4/16/74-4/19/74
- 21) Carr's Missouri Case Finder - Job #7441 - 8/15/74-11/13/74

Interrogatory 12

August, 1969 to date; Lawyers Cooperative Publishing Company  
1 Aqueduct Street, Rochester, New York, between 8:15 a.m. and  
4:45 p.m. on working days.

Interrogatory 13

Struck by court order.

Interrogatory 14

Mary Nageotte, 1 Aqueduct Street, Rochester, New York;  
Patricia Loughney, 1 Aqueduct Street, Rochester, New York.

Interrogatory 15

Eula Lee Blowers, 50 Joanne Drive, Rochester, New York.

Interrogatory 16

Mary Nageotte, 1 Aqueduct Street, Rochester, New York;  
Patricia Loughney, 1 Aqueduct Street, Rochester, New York; Eula  
Lee Blowers, 50 Joanne Drive, Rochester, New York.

Interrogatory 17

Philippa Bissell, 2770 Clay Road, Lima, New York.

Interrogatory 18

Struck by court order.

Interrogatory 19

Struck by court order

Interrogatory 20

None.



Patricia Loughney  
PATRICIA LOUGHNEY

Sheila Molnar  
GENESEE VALLEY CHAPTER OF THE  
NATIONAL ORGANIZATION FOR WOMEN  
BY SHEILA MOLNAR, CO-PRESIDENT

December 2, 1974  
Rochester, New York

STATE OF NEW YORK )  
COUNTY OF MONROE ) SS:  
CITY OF ROCHESTER )

Patricia Loughney, being duly sworn, according to law, says that she has read the foregoing Answers to Interrogatories. The same are true to her own knowledge except where stated on information and belief and as to those answers she believes them to be true.

Patricia Loughney  
PATRICIA LOUGHNEY

Sworn to before me this 2nd  
day of December, 1974

Conrad J. Kuntz  
Notary Public

SWORN TO before me this 2nd day of December, 1974  
at Rochester, New York, in the County of Monroe, State of New York.  
Conrad J. Kuntz, Notary Public, No. 15234.

STATE OF NEW YORK )  
COUNTY OF MONROE ) SS:  
CITY OF ROCHESTER )

Sheila Molnar, Co-President of the Genesee Valley Chapter of the National Organization For Women, being duly sworn, according to law, says that she has read the foregoing Answers to Interrogatories. The same are true to her own knowledge except where stated on information and belief and as to those answers she believes them to be true.

Sheila Molnar  
SHEILA MOLNAR

Sworn to before me this 2nd  
day of December, 1974.

Conrad J. Kuntz  
Notary Public

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EXHIBIT A 370



Status report**SEX-BIAS INVESTIGATIONS CONTINUE**

*(Ed. note: Within the past two months, charges of sex discrimination have been lodged against LCP and filed with three separate government agencies: the New York State Division of Human Rights, the Office of Federal Contract Compliance, and the Wage Hour Division. The following comments have been prepared for Galley Proofs by Personnel Director Don Bennett to provide all employees with an accurate account of events to date.)*

During the past few weeks, LCP has been the subject of investigation by three administrative agencies on charges alleging discriminatory practices relating to the employment of women.

Two agencies have indicated that their preliminary findings show no violation by the company. The third agency is still conducting its investigation and has not announced findings. Here is a summary of what has taken place so far:

1. Last December 29, LCP received a letter from the National Organization for Women (NOW), briefly stating that it had filed sex discrimination charges against LCP with various governmental bodies. On that date, a bulletin-board notice was posted to inform LCP employees of receipt of the letter.

2. On January 4, the State Division of Human Rights notified LCP that it had received a complaint from Mrs. Eula Blowers and the Genesee Valley Chapter of NOW against the company and two of its executives. The complaint contained 21 separate allegations charging that Mrs. Blowers' employment with the company was discriminatorily terminated because of her age and sex and that LCP practices discrimination in hiring, placement, promotion, pay policies and benefits for women. Hearings on these charges have been conducted at which LCP representatives were given the opportunity to respond to each allegation. The investigation will continue with examination of company records and personal interviews with some employees.

3. On February 1, LCP was informed by the local branch of the Office of Federal Contract Compliance (OFCC) that it had received a complaint

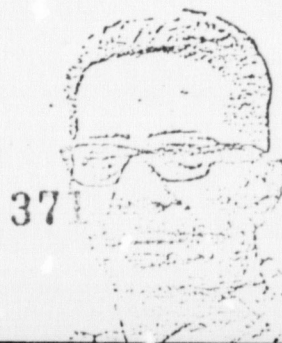
*(Continued on page 2)*

Aqueduct promotion

### Dave McEachern named Night Supervisor of Building Services

David C. McEachern was recently promoted to Building Services Night Supervisor in the Aqueduct maintenance staff. He assumed his new duties as of February 28 and succeeds Bob Conrad who has resigned from the company to move to Arizona.

Dave has been with LCP since July 1970. He and his wife, Elaine, are parents of four children, Janice, 19, Dan, 17, Kathy, 15, and Mike,



that:

(A.) LCP maintains separate recruitment, placement, and promotion policies for females.

(B.) Because of distinguishing employment opportunities according to sex, LCP provides female employees with fewer corporate benefits.

(C.) LCP maintains inaccurate job descriptions that in practice are used to hire and employ females in lower ranked positions.

(D.) LCP has failed to develop and implement an affirmative action program for females.

(E.) LCP maintains sex-distinguishing operating policies that limit employment development for females.

(F.) LCP has harassed both male and female employees for attempting to break down the sex-biased employment policies and practices.

(G.) LCP has maintained an anti-female employment operation in spite of legal mandates to the contrary.

A representative of OFCC conducted his investigation of these charges on February 15 and 16. Although he will not be submitting his report of findings to his superiors until some time in March, he has orally indicated to LCP that the company is not in violation of equal employment opportunity regulations.

4. On or about February 10, LCP was advised by the Department of Labor, Wage-Hour Division, that it had received a complaint from NOW. This complaint alleged that the company was in violation of the Equal Pay Act by paying women less than men for performing the same job, with specific reference to the Advance Reading and Customer Correspondence Departments.

A representative of the Wage-Hour Division conducted an investigation on February 15, which included interviews with six employees from these departments, as well as inspection of various company pay records and personnel classifications. His findings were that LCP is clearly not in violation of the Equal Pay Act.

Despite these charges of discrimination, it is the company's firm belief that it has consistently complied with all State and Federal regulations regarding non-discriminatory employment and personnel practices, pay and benefit policies. Through its written Affirmative Action Program, in existence now 18 months, the company maintains a non-discriminatory posture, and has taken and continues to take positive actions to improve employment opportunities for all. To date, these affirmative actions have been spelled out with regard to all minority groups. Within the next month, detailed plans for affirmative actions regarding female employment will be completed, in accordance with Executive Order No. 4, revised December 4, 1971.

As the government agencies conduct their investigations of these complaints, they will continue to receive the company's fullest cooperation. Upon completion of the investigations, should there be recommendations for improvement of our programs, LCP management will carefully evaluate them to determine whether or not they should be incorporated in existing policies.

0111  
LCP

galley proofs

GALLEY PROOFS is published bi-weekly for all active and retired employees of The Lawyers Co-operative Publishing Company and their families. Correspondence may be sent to the editor at the Communication Office, Aqueduct Building, Rochester, N. Y. 14603.



more weeks to get a group together and secure your tickets. The gala

## Birthday greetings to:

Cora Scott,	March 9
Sewing & Collating	
Marcia Babey, Data	March 9
Processing & Systems	
Richard Flad,	March 10
Case Making	
Alice Van Hanchem,	March 10
Correspondence	
Beth Cochran,	March 10
Ed. Clerical	
Mary Riley, Maintenance	March 10
David McEachern,	March 10
Maintenance	
Donald Slater, Pressroom	March 10
Chantel Vande Velde,	March 10
Sewing & Collating	
Francis Fousse, Pressroom	March 10
Joe Fien, Manufacturing	March 11
Gloria Malaggesi,	March 11
Collections	
Nancy Sullivan, Editorial	March 11
Dorothy Grashof,	March 11
Citations Key punch	
Sheryl Mallen,	March 12
Order Processing	
Pat Loughney, Editorial	March 12
Lois Wallace, Proofroom	March 12
Tom Easton, Sales	March 12
Bob Fields, Forwarding	March 13
Ernest Eckleben,	March 13
Casing-In	
Linda Miner, Transcribing	March 13
Bob Hasenohr, Pressroom	March 14
Charles Garrett, Sales	March 14
Larry Garrett, Sales	March 14
Joe Edwards, Editorial	March 14
Nancy Klein, Collections	March 14
Shirley Guagliardo,	March 14
Proofroom	
Phyllis Clark,	March 15
Citations Key punch	
Tom Sullivan, Job Room	March 15
Helen Briggs, Proofroom	March 15
Lee Reisinger,	March 16
Graphics Coding	
Delores DiSalvo, CST	March 16
Ann R. wan,	March 17
Citations Testing	
Ruby Weeks, Editorial	March 17
Don Weekly, Sales	March 17
Rose Balsamo,	March 18
Transcribing	
Ken DeLorm, Assembly	March 19
Gordon Adamski,	March 19
Shipping	
Gratia Allen,	March 20
Machine Processing	
Charles Bartlett, Gathering	March 20
Bucky Woodhams,	March 20
Forwarding	
	March 21

dinner at 7:30 and dancing from 9:00 until 1:00.

This year's ticket price for LCP employees, their husbands or wives and children (grown-up, of course) has actually *decreased*, making this a real entertainment bargain. These tickets are \$4.50 per person, compared with \$5.00 last year. As has been past custom, retirees are invited to attend free of charge, although tickets must be secured in advance.

All other guests must pay the full price of \$9.00 per person to cover the cost of the dinner and dancing.

## Two Bands an Innovation

Music for dancing will be continuous from 9:00 O'Clock on with two bands of different styles alternating sets to suit every taste, states LCPAA President Don Kramer. "The Hojack," a group which was received enthusiastically last year, will provide "now sound" music for the younger set while smoothe music for dancing will be provided by Herb White's Orchestra.

Included in the ticket price are a full complement of appetizers and hors d'oeuvres during the cocktail hour and a dinner menu which includes shrimp cocktail, Logan's excellent prime ribs of beef with all the trimmings and dessert.

Tickets may be purchased from any LCPAA trustee and must be obtained in advance of the event. No tickets will be sold at the door and none can be held for pick-up at the door, in accordance with LCPAA policy.

In accordance with past policy, all retirees although not members of their families (unless they, too, are retired employees) will be granted free admission. Their family members will be admitted on an employee ticket. Any retiree desiring tickets should contact Dottie Harster at Aqueduct extension 103 for further information.

## ...Supervisory training

(continued from page 1)

Bob Bender; Shipping Supervisor  
John Bloomer; Composition System Terminal Supervisor  
Gary Dodd; Graphics Coding Supervisor  
Don Fortner; Maintenance Supervisor  
"Bud" Graumann; Sewing & Collating Supervisor  
Margaret Harty; Night Gathering Supervisor  
Bernie Imhof; Night Pressroom Supervisor  
Gary Jermyn; Receiving and Warehousing Supervisor  
R...

parents of a new daughter, born on February 22.

Promotion's Hilda Liptak recently returned from a three week stay in the sun. She and her husband, Steve, left for Florida on January 28 so they could attend the wedding of their son, Bruce, who was married in Miami where he is employed. Following the wedding, Hilda and Steve spent time in Coral Gables, Coconut Grove and Boca Raton before returning to Rochester on February 21.

Sympathy is extended to the family of retiree Hazel Sampson who died February 18.

involve advising candidates and leaders as to the requirements of the Election Law and party rules, as well as representation of the party in legal actions and proceedings. Mike was also recently appointed Deputy Attorney of the Town of Webster.

Jim Ehmann, Library, is currently busy as head of the Committee to Save the Genesee Aqua Festival, a group which is appealing to church and civic groups, businesses and the public for contributions to help save the festival which was last held in 1969. Anyone interested in more information about this project can contact Jim.

## Men's Bowling League race will be a real "cliff hanger" in closing weeks

Cleveland's Team Number 10 has assumed the role of "giant killer" in the LCP Men's Bowling League. In the cellar of the ten-team league as late as mid December, they have since moved steadily and as of February 28, the last date for which scores have been reported, were tied for fifth place in the standings.

The league leader continued to be Brian Root's Team Number One,

### Service Anniversaries

- 29 Years: Benjamin Conner, Assembly
- 22 Years: Leo Wilcox, Linotype
- 21 Years: Paul Gleason, Forwarding; Al Culverhouse, Sales
- 19 Years: LeRoy Smith, CST Operations
- 17 Years: Kathryn Lynch, Accounting
- 16 Years: Charles Garrett, Sales
- 11 Years: Barney Finberg, Editorial
- 8 Years: Toni Bradford, Editorial
- 7 Years: Al Suarez, Sales; Mildred Cappellino, Order Processing
- 6 Years: Robert Daugherty, Sales
- 5 Years: Anne Vann, Editorial; Fred Romano, Editorial Clerical
- 3 Years: Erv Barbre, Editorial
- 2 Years: Margaret Farmer, Proofroom; Lock Bounds, Editorial; John Wright, Aqueduct; Paul Smith, Bob Brzener, Editorial

although the margin was sliced to a mere three points over the second place contenders. As of Monday evening, February 28, the leaders stood at 63 points won and 37 given up, followed by Smith (Team No. 3) and Bloomer (Team No. 4) who were tied with identical 60-40 season marks.

Complete league standings as of February 28 were as follows:

Team	Won	Lost	Pct.
1, Root	63	37	.630
3, Smith	60	40	.600
4, Bloomer	60	40	.600
8, Graumenz	56	44	.560
6, Schiedel	48	52	.480
10, Cleveland	48	52	.480
9, Goger	45	55	.450
5, Pundt	43	57	.430
7, Gervasi	42½	57½	.425
2, Cohen	34½	65½	.345

"Over 500" bowlers on Monday night, February 21, were paced by Roger Campbell with a 586 followed by Frank Patricelli, 581; Wally Smith, 566; Bob Fields, 562; Don Evins, 557; Ed Jagla, 543; Alden VanDreser, 529; Eric Johnson, 528; Ray Schiedel, 526; Fritz DeCesare, 520; Ken DeLorm, 514; Tom Oliver, 504; Tom Goger, 503 and Frank Overhaus, 500.

The following week, February 28, Bob Fields and Roger Campbell led the league with identical high scores of 579, followed by Fritz DeCesare, 555; Wally Smith, 551; Ken DeLorm, 552; Erv Barbre, 534; Ed Schiedel, 532; Don Evins, 530; Jim Wagner, 528; Tom Oliver,



December 29, 1971

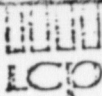
This is to inform you that The Lawyers Co-operative Publishing Company has received a letter from the National Organization of Women informing us that they have filed charges of sex employment discrimination against our Company. We have not received any specific information with respect to these charges.

As you know, it has been and will continue to be the policy of The Lawyers Co-operative Publishing Company to recruit, hire, promote, and administer all wages and benefits in all job classifications without regard to race, color, religion, sex, age, or national origin.

P-14 Jd

ENCLOSURE  
LCP





THE LAWYERS  
CO OPERATIVE  
PUBLISHING CO.

Rochester, New York 14603

May 10, 1972

To: All Employees

From: Don Bennett

At a press conference held yesterday, N.O.W. made comments which implied that LCP is guilty of discrimination and that their charges (made in December) are supported by the federal government.

The following was the company's response:

"As is required of all government contractors, Lawyers Co-operative has developed written affirmative action programs dealing with equal employment opportunity for minorities and females.

A week ago we received a letter from the Defense Supply Agency in Boston which indicated that they "found our Affirmative Action Program to be deficient" but it in no way made reference to the discrimination charges made by N.O.W. Because the letter did not specify the alleged areas of deficiency, we replied asking for such specifics. As of this day we have received no reply to that letter.

We have not been informed by any government agency that we are guilty of discrimination, nor have we been informed that the government supports the charges of N.O.W. In fact one of the investigating federal agencies has already cleared us completely of any charges."

DSB/sai

P-1524 Don



THE LAWYERS  
CO-OPERATIVE  
PUBLISHING CO.

Rochester, New York 14603

May 23, 1972

To: All Employees

From: Don Bennett

At noon today the National Organization of Women held another press conference on Broad Street across from the Aqueduct Building.

The news release issued at that time indicates that ten female employees of LCP, and N.O.W. as their co-complainant, have filed a complaint with the New York State Human Rights Division against the company, charging it with unlawfully discriminating on the basis of sex in its employment practices and policies.

As of this afternoon we have not been informed by the Human Rights Division of the filing of such a complaint.

You will be kept informed as any facts become known to us.

DSB/sli

*Don*

*P-16 JA*



August 3, 1972

To: All Employees

From: Don Bennett

Re: Recent N.O.W. Press Release

Tuesday morning, August 2, many employees at the Aqueduct Building received a copy of a press release being issued by NOW regarding a complaint filed December 31, 1971 by Eula Blowers & NOW vs. LCP. This release makes reference to a determination of "probable cause" by the State Division of Human Rights regarding this case.

Although LCP has not yet received notification of such a determination, we have been informally advised that such a notice is forthcoming.

The status of this case is as follows:

A. The specific complaint was twofold: The first, charges that Eula Blowers was discriminated against during her period of employment and that her employment was terminated for reasons of age and sex; the second part, charges by NOW that LCP practices discrimination in policies and conditions of employment as regards women.

B. The investigation to date has included informal conferences with management members, conferences with Eula Blowers, interviews with many employees, and a review of our policies and practices pertaining to conditions of employment.

C. The company's position is that none of our policies and practices discriminate against employees because of their race, color, religion, national origin, age or sex.

Specifically, Eula Blowers was not discharged because of her age or sex, but for specific reasons connected with the performance of her assigned duties.

The company's position regarding the general "class action" charges by N.O.W. are that they are unfounded.

D. The State's decision. As a result of his investigation the Regional Director of the State Division of Human Rights has determined that there is probable cause, and he has recommended to the State that the case go to hearing. If his recommendation is accepted, the next step would be a hearing before a State Hearing Examiner.

P-17 JH

Alm

January 9, 1973

To: All Employees  
From: Don Bennett  
Re: Sex Discrimination Charges Against LCP

Tuesday morning, January 9, 1973, many employees at the Aqueduct Building received a handout from NOW indicating:

1. "State Agency finds LCP unfair to women employees."
2. "All eleven pending complaints filed by employees won."
3. "LCP also found guilty of retaliating against one complainant."

The facts of the matter are:

1. LCP has had four complaints filed against them through the New York State Division of Human Rights. They are:

Case A Eula Blowers and NOW vs. LCP, 12/31/71

Case B Ten employees and NOW vs. LCP, 5/23/72

Case C Patricia Loughney and NOW vs. LCP, 6/14/72

Case D Eula Blowers vs. LCP, 7/3/72

2. Each complaint alleges a variety of individual, as well as general, discriminatory practices on the part of the company to the detriment of women employees, some specifically.

*P 1/22/73*



3. Each complaint has been investigated by representatives of the State Division of Human Rights.

4. The determinations made by the State are:

Case A 7/31/72, Probable cause, recommended for public hearing.

Case B 12/22/72, Probable cause, recommended for public hearing.

Case C 12/22/72, Probable cause, recommended for public hearing.

Case D 12/22/72, Probable cause, recommended for public hearing.

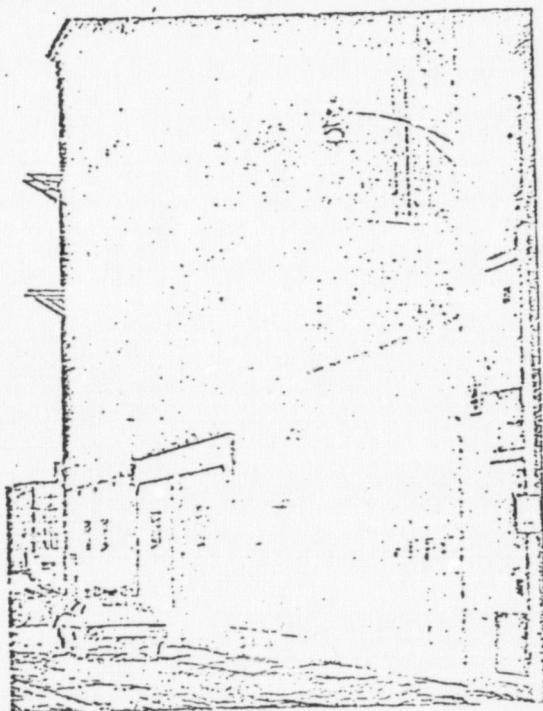
5. If the recommendations for public hearing are accepted, the next step would be a public hearing before a State Hearing Examiner. No dates for any public hearing have been set.

6. The preliminary findings of the local office of the Human Rights Division are not decisions of guilt or innocence; no one has "won or lost", but they feel that there is reasonable doubt, and so have recommended that a decision be rendered by a higher authority.

7. The company's position remains that none of our policies and practices discriminate against employees because of their race, color, religion, national origin, age, or sex.

DSB:kmd

*Law*



**PASSING SCENE** - This long familiar sight, looking toward Main Street from the Aqueduct Building will soon be no more. Next week, wrecking crews will begin razing LCP's Buildings 9 (the old Macauley-Fien Building, nearest Main Street) and 8, adjacent to the present garage. Both structures have been unused since the move of Manufacturing into the Webster plant two years ago.

## Buildings 8 and 9 to be razed

Plans were announced this week for the demolition of two of LCP's vacant buildings in the downtown location. Next week wrecking crews will begin tearing down Building 9 - the old "Macauley-Fien" Building - and Building 8, adjacent to it. Both structures are located on the east side of Graves Street, adjacent to the Goetz River.

Until the company's manufacturing operations were moved into the Webster plant two years ago, these buildings were used primarily for the storage of paper stock and for in-process inventories. Both structures have been vacant since

that time.

Monday morning, January 15, LCP representatives met with officials of Benvenuto Bros. Inc., a local wrecking contractor, to finalize details of the project. Demolition work is expected to start within a week and should take approximately 30 days to complete, states LCP Manufacturing Engineering Manager Tom Ryan, coordinator of the project.

The demolition project is under the overall direction of the engineering firm of Scar, Brown, Schoenberger, Cornish and Malletta of Rochester.

## Status report

### Public hearings recommended for four LCP sex discrimination cases

No determination of guilt or innocence has yet been made in any sex discrimination complaints currently filed against the company with the New York State Division of Human Rights, states LCP Personnel Director Don Bennett. This statement was made last week in response to a handout distributed on January 9 by the National Organization for Women, purporting that a final decision had been made by the state agency.

In a notice to employees, Don detailed the status of each complaint that had been filed by certain employees in conjunction with N.O.W. during the first half of 1972. In each of the four cases, he noted, the local office of the Human Rights Division, after reviewing the case, had determined "probable cause" for further action and recommended a later public hearing.

If the recommendations of the local office are accepted, the next step would be a hearing before a State Hearing Examiner. No dates for any public hearing have been set at this time.

The complete text of the reply, which was distributed to all employees and posted on bulletin boards on January 9, follows:

"Tuesday morning, January 9, 1973, many employees at the Aqueduct Building received a handout from NOW indicating:

1. 'State Agency finds LCP unfair to women employees.'

2. 'All eleven pending complaints filed by employees won.'

3. 'LCP also found guilty of retaliating against one complainant.'

"The facts of the matter are: 1. LCP has had four complaints filed against them through the New York State Division of Human Rights. They are:

Case A - Eula Blowers and NOW vs. LCP, filed on December 31, 1971

Case B - Ten employees and NOW vs. LCP, filed on May 23, 1972

Case C - Patricia Loughney and NOW vs. LCP, filed on June 14, 1972

Case D - Eula Blowers vs. LCP, filed on July 3, 1972.

2. Each complaint alleges a variety of individual, as well as general, discriminatory practices on the part of the company to the detriment of women employees, some specifically.

3. Each complaint has been investigated by representatives of the State Division of Human Rights.

4. The determinations made by the State are:

Case A - (July 31, 1972)

Probable cause, recommended for public hearing.

Case B - (December 22, 1972) Probable cause,

recommended for public hearing.

Case C - (December 22, 1972) Probable cause,

recommended for public hearing.

Case D - (December 22, 1972) Probable cause,

recommended for public hearing.

5. If the recommendations for public hearing are accepted, the next step would be a public hearing before a State Hearing Examiner. No dates for any public hearing have been set.

6. The preliminary findings of the local office of the Human Rights Division are not decisions of guilt or innocence; no one has 'won' or 'lost', but they feel that there is reasonable doubt, and so have recommended that a decision be rendered by a higher authority.

7. The company's position remains that none of our policies and practices discriminate against employees because of their race, color, religion, national origin, age or sex."

P-19 JH



February 5, 1973

In addition to the story in the January 18th issue of Galley Proofs, the following events have occurred recently with regard to discrimination charges against LCP:

1. In November, three Notices of Discrimination Charges were received from the Equal Employment Opportunity Commission, Buffalo office. No names or specific charges appear on these notices. No investigation has been made.
2. In December, a suit was filed in State Supreme Court by Eula Lee Blowers and Vernon A. Blowers against LCP. The summons indicating filing of this suit was not accompanied by any specific charges, nor have any been received since then.
3. In January, nine more Notices of Discrimination Charges were received from the EEOC in Buffalo. These also indicate no specifics, nor have any investigations begun.
4. On February 1, the Company was advised that another legal action had been instituted. This one is a suit filed with the United States District Court by Eula Lee Blowers individually, and on behalf of all other persons similarly situated, against LCP. With the notice of this suit, the Company also received the complaint indicating the specific charges. All of these charges are the same as have already been charged through other actions.

Periodic reports to employees will be made as developments occur in these cases.

P-2024

[Filed 1/21/75]

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

PATRICIA LOUGHNEY AND GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN

Plaintiffs

-V-

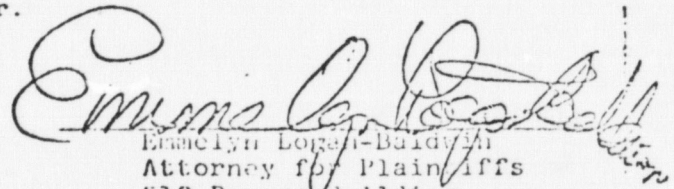
LAWYERS COOPERATIVE PUBLISHING COMPANY, INC.

Defendant

\* NOTICE OF MOTION  
\* TO PERMIT EQUAL  
\* EMPLOYMENT OPPOR-  
\* TUNITY COMMISSION  
\* TO PARTICIPATE IN  
\* DEPOSITIONS.

Civil Action #  
1973-238

PLEASE TAKE NOTICE that upon the affirmation of Emmelyn Logan-Baldwin, dated January 20, 1975, the affidavit of Charlyn J. Buss dated January 15, 1975, the decision and order of the court herein, dated October 29, 1974, and all the papers and proceedings heretofore had herein, plaintiffs will move at a motion term of this Court to be held at the Federal Building, State Street, Rochester, New York at 10:00 a.m. or as soon thereafter as counsel can be heard on January 27, 1975, for the Court to permit the Equal Employment Opportunity Commission to participate in the depositions herein and for such other and further relief as to the Court may seem just and proper.

  
Emmelyn Logan-Baldwin  
Attorney for Plaintiffs  
510 Powers Building  
Rochester, New York 14614  
Telephone: 716-232-2292

January 20, 1975

To: Nixon, Hargrave, Devans & Doyle  
John B. McGrory, Esquire of Counsel  
Lincoln First Tower  
Rochester, New York 14603



UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

PATRICIA LOUGHNEY AND GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN

Plaintiffs

-V-

LAWYERS COOPERATIVE PUBLISHING COMPANY, INC.

Defendant

\* AFFIRMATION IN SUP-  
\* PORT OF MOTION TO  
\* PERMIT EQUAL EMPLOY-  
\* MENT OPPORTUNITY  
\* COMMISSION TO PAR-  
\* TICIPATE IN DEPO-  
\* SITIONS

Emmelyn Logan-Baldwin, under penalties of perjury, af-  
firms the following:

1. I am an attorney at law duly licensed to practice  
my profession in the State of New York. I am duly admitted to  
the bar of this Court. I am the attorney for the plaintiffs in  
the above-noted action. This affirmation is submitted by me in  
support of the application of the plaintiffs for the Court to per-  
mit the Equal Employment Opportunity Commission to participate  
in the depositions in this case.

2. This case is one of three cases pending against  
Lawyers Cooperative Publishing Company, Inc. charging company-wide,  
class-wide discrimination in employment. The other cases are  
Blowers, individually and on behalf of all other persons similar-  
ly situated vs. Lawyers Cooperative Publishing Company, Inc. et al.  
Civ. 1973-47, and Nageotte and Genesee Valley Chapter of the National  
Organization for Women, et al. vs. Lawyers Cooperative Publishing  
Company, Civ. 1973-346. All parties to all three law suits had  
first duly perfected their claims of employment discrimination  
against Lawyers Cooperative Publishing Company by filing with the  
New York State Division of Human Rights and cross filing with the  
Equal Employment Opportunity Commission.

3. Pursuant to the Civil Rights Act of 1964, Eula,  
nee Blowers, having first, in time, filed her complaint against  
Lawyers Cooperative Publishing Company became entitled to the Right

to Sue Notice. The first of these actions, Eula Lee Blowers, Individually, and on behalf of other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc. et al. was filed on January 29, 1973. As soon as the Right to Sue Notice became available to the other persons, Blowers moved and those other persons moved by Notice of Motion dated April 6, 1973, pursuant to Federal Rule 21, to be named as additional party plaintiffs and named members of the class in Blowers, individually and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc., et al.

4. When the court had not yet reached a decision on the application of the other persons with claims of employment discrimination against Lawyers Cooperative Publishing Company, Inc. to be added as additional party plaintiffs and named members of the class in the Blower's class action lawsuit, the lawsuits, Loughney and the Genesee Valley Chapter of the National Organization for Women vs. Lawyers Cooperative Publishing Company, Inc. and Nageotte and Genesee Valley Chapter of the National Organization for Women, et al. vs. Lawyers Cooperative Publishing Company were filed. Title VII of the Civil Rights Act of 1964 provides that a person with an employment discrimination claim must initiate his/her lawsuit within ninety days of receipt of the Right to Sue. The court has not yet rendered decision on the motion of Blowers, Loughney, Nageotte and the others with claims against Lawyers Cooperative Publishing Company, dated April 6, 1973, requesting that the court make all of them plaintiffs in one class action lawsuit.

5. As Blowers, Loughney, Nageotte and the other persons with claims of employment discrimination against Lawyers Cooperative Publishing Company point out in their papers in support of their application dated April 6, 1973, which are incorporated herein by reference, the claims of all parties in Blowers, individually and on behalf of all other persons similarly situated vs. Lawyers

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Cooperative Publishing Company, Inc., et al., Loughney and Genesee Valley Chapter of the National Organization for Women vs. Lawyers Cooperative Publishing Company, Inc., and Nageotte and Genesee Valley Chapter of the National Organization for Women, et al. vs. Lawyers Cooperative Publishing Company, Inc., are of company-wide, class-wide discrimination. There should be one, class action lawsuit in which these claims are litigated.

6. The Equal Employment Opportunity Commission by Notice of Motion served October 22, 1974, has moved in Blowers, individually and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc., et al., to intervene in that lawsuit. The Commission has requested that the lawsuit be constituted a class action and that the class be composed of all women who have been employed, are employed or would be employed by Lawyers Cooperative Publishing Company. The court has under advisement the application to intervene and the motion to constitute Blowers, individually and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc., et al., a class action.

7. The Equal Employment Opportunity Commission has previously participated in Blowers, individually, and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc., et al. and Loughney and Genesee Valley Chapter for the National Organization for Women vs. Lawyers Cooperative Publishing Company, Inc. as amicus curiae.

8. This court by decision and order of October 29, 1974, decided plaintiffs' motion in this case to compel discovery, including depositions and the production of documents and for extension of time to answer defendant's interrogatories and for protective order from interrogatories dated February 8, 1974 as well as defendant's motion of February 15, 1974 to compel answers to interrogatories and set a "reasonable schedule" for depositions of its employees. The court ruled that it would fix the time for

depositions of defendant's employees and that the Affirmative Action Programs of the defendant must be produced at the depositions.

9. Plaintiffs moved by Notice of Motion dated December 18, 1974 for the court to set the dates for depositions, said motion being returnable on January 13, 1975. However, because attorneys for the defendant stipulated to appearing for depositions and producing the Affirmative Action Programs on dates mutually convenient to counsel, subject to attorney for plaintiffs' argument of Warth vs. Seldin in the United States Supreme Court, the motion was withdrawn prior to argument.

10. Attorneys for plaintiffs and the Equal Employment Opportunity Commission have both pointed out to attorneys for defendant the importance of expediting discovery in these cases charging company-wide, class-wide employment discrimination against Lawyers Cooperative Publishing Company. In this regard, attorneys for the Equal Employment Opportunity Commission had planned to attend and participate in the depositions in this case.

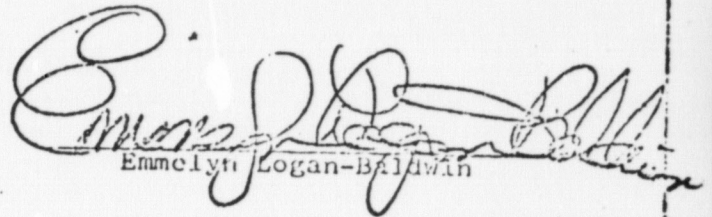
11. The participation by the Equal Employment Opportunity Commission would assure that discovery could begin in this case and be completed in a thorough fashion.

12. The defendant, through its attorneys, on the other hand, plans to frustrate the efficient conducting of discovery by claiming that it will not proceed with discovery if attorneys for the Equal Employment Opportunity Commission are present and/or if attorneys for the Equal Employment Opportunity Commission would propose to participate in discovery. See letter from Morgenstern to attorney for plaintiffs, attached hereto and made a part hereof as Exhibit A.

13. As previously pointed out, issues in this lawsuit of company-wide, class-wide discrimination are the same as those in Blomera, individually and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc. et. al.



and Narcotte and the Genesee Valley Chapter of the National Orga-  
nization for Women, et al. vs. Lawyers Cooperative Publishing  
Company, Inc. Discovery undertaken now with all parties, inclu-  
ding amicus curiae and intervenor applicant Equal Employment Op-  
portunity Commission, will eliminate the need for that same dis-  
covery in the combined, class-action lawsuit at a later date. For  
these reasons, I must respectfully request that the court direct  
that the Equal Employment Opportunity Commission may participate  
in the depositions and other discovery in the above noted case.

  
Emmelyn Logan-Baldwin

January 20, 1975

Rochester, New York

Nixon, Hargrave, Devans & Doyle  
Attorneys and Counselors at Law  
Lincoln First Tower  
Rochester, N.Y. 14603

(716) 546 8000

WASHINGTON OFFICE  
SUITE 404 900 SEVENTEENTH ST N W  
WASHINGTON, D.C. 20006  
(202) 872 6044

January 14, 1975

Ms. Emmelyn Logan-Baldwin  
510 Powers Building  
Rochester, New York 14614

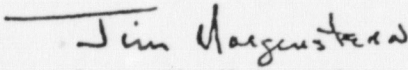
RE: Loughney et al. vs. Lawyers Cooperative  
Publishing Company

Dear Ms. Logan-Baldwin:

This is to confirm our telephone conversation of January 13, 1975 wherein we amended our agreement for depositions in the above-captioned matter to the extent that the depositions will be held in a Federal Hearing Room at the Federal Building, State Street, Rochester, New York.

At the same time, this is to confirm our position that since the United States Equal Employment Opportunity Commission (EEOC) has no status as a party or an intervenor in this action, nor is associated with your office as counsel of record, it should not be permitted to participate in a deposition of defendants. Especially since the EEOC has represented to the Court, in Blowers vs. Lawyers Cooperative Publishing Company, that its potential presence in that lawsuit will cause no delays to the suit, it should not be permitted to participate in the depositions. It should be obvious that the presence of a third questioning party obviously will add to the time required to complete depositions.

Very truly yours,

  
James H. Morgenstern

JHM/ljd

cc: Hon. Harold P. Burke



AFFIDAVIT

CITY OF WASHINGTON  
DISTRICT OF COLUMBIA

s.s.

CHARLES J. BUSS, being duly sworn, affirms and says:

1. I am a trial attorney for the Equal Employment Opportunity Commission (the "Commission"), and represent the Commission in Blowers v. Lawyers Cooperative Publishing Company, Inc. et al, Civil Action Number 1973-47, currently pending before this Court. I have filed on behalf of the Commission a motion to intervene in the above case, which motion is also pending at this time.
2. I have been informed that the Court has ordered depositions to be taken in Loughney v. Lawyers Cooperative Publishing Company, Civil Action Number 1973-238, on February 18, 19, 20, 25, and 26, 1975.
3. Since the issues raised by the plaintiffs in Loughney are virtually identical to those raised by the plaintiff in Blowers, discovery in both cases will necessarily involve the same factual material.
4. In its Motion to Intervene, the Commission stressed its desire to avoid undue delay and asserted that, to that end, it would coordinate its discovery with that of the plaintiff.
5. I am informed that the defendants have refused to permit the Commission's attendance or participation at these depositions and that the plaintiffs have moved to have the Court designate the Commission as a proper participant.
6. On behalf of the Commission, I respectfully urge that the Court grant plaintiff's motion in order that the Commission may fully participate in pre-trial proceedings pending the disposition of the

Commission's Motion to Intervene. No prejudice to the defendants will result from the granting of the plaintiff's motion.

Charles J. Buss  
Charles J. Buss

Sworn to and subscribed before me this  
15th day of January, 1975

Robert C. White  
My Commission Expires 2/28/75



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK [Filed 1/30/75]

PATRICIA LOUGHNEY and GENESEE VALLEY  
CHAPTER OF THE NATIONAL ORGANIZATION  
FOR WOMEN,

Plaintiffs,

-vs-

LAWYERS COOPERATIVE PUBLISHING  
COMPANY, INC.,

Defendant.

:  
:  
: OPPOSING  
: AFFIDAVIT ON  
: MOTION TO  
: PERMIT EEOC  
: TO DEPOSE  
: WITNESSES  
:  
: CIV-1973-238

STATE OF NEW YORK:  
COUNTY OF MONROE : SS:  
CITY OF ROCHESTER:

JOHN B. MCCRORY, being duly sworn, deposes and  
says:

1. I am a partner in the firm of Nixon, Hargrave,  
Devans & Doyle, attorneys for defendant in this action.

2. This affidavit is submitted by defendant in  
opposition to plaintiffs' motion to permit the Equal Employment  
Opportunity Commission (EEOC) to participate in scheduled  
depositions of defendant's employees.

3. This action seeks recovery on behalf of a  
single employee, Patricia Loughney, for damages, etc. by reason  
of alleged sex discrimination in plaintiff's employment at  
Lawyers Cooperative Publishing Company. As with other suits  
against Lawyers Cooperative Publishing Company, the Genesee  
Valley Chapter of the National Organization of Women (NOW) is a  
nominal party alleging a general interest in such sex discrimina-  
tion cases. Both plaintiffs are represented by Mrs. Emmelyn  
Logan-Baldwin, an attorney.

4. This action was commenced in May, 1973, twenty (20) months ago. By motion dated February 15, 1974, defendant moved to compel plaintiffs to answer defendant's Interrogatories.

5. On October 29, 1974, Judge Burke ordered that plaintiffs answer defendant's Interrogatories by December 2, 1974 and directed that, after the plaintiff's answers to Interrogatories were served, dates were to be set to take depositions of defendant's employees and plaintiff NOW.

6. Mrs. Logan-Baldwin served plaintiffs' answers to Interrogatories on December 2, 1974. Thereafter, defendant's attorneys agreed to produce its employee, Donald Bennett, as requested by Mrs. Logan-Baldwin, for deposition on five (5) separate days, with further deposition dates to be scheduled for Mrs. Logan-Baldwin to complete the testimony of Donald Bennett and Leonard Reiser. Past experience indicates it will take Mrs. Logan-Baldwin about 20 days to depose Donald Bennett. We have no idea how long she will take with Leonard Reiser, but she is not noted for brevity.

7. On January 13, 1975, after these depositions had been scheduled, Mrs. Logan-Baldwin, in a telephone call to defendant's attorneys, demanding that EEOC be permitted to participate as a party to the depositions, with all rights of separate cross-examination of defendant's witnesses. The attorneys rejected this oral demand upon the ground that the EEOC is a stranger to this action, not a party, and that defendant is not obligated to subject its employees to extensive depositions as contemplated by Mrs. Logan-Baldwin by both her and also by the federal government.

8. Thereafter, defendant's attorneys were contacted in a conference telephone call from EEOC in Washington, D.C. EEOC wanted to know why defendant should presume to deny EEOC's demand to participate in the scheduled depositions. When told that they



were not a party to this action, EEOC responded that, in their opinion, this was an important case, and that, when an important agency of the federal government had an interest in a case, it should be given the right to depose defendant's witnesses, and that defendant was being obstructive in not permitting EEOC to exercise their desires to depose defendant's witnesses. EEOC see to think it can step into any case just because it wants to.

9. Thereafter, Mrs. Logan-Baldwin brought this motion to compel defendant to permit EEOC to examine defendant's witnesses.

10. EEOC is not a party to this action. It is not even amicus curiae, with the right to submit briefs. It has no standing whatever to participate in pre-trial discovery proceedings, and its subjective desires don't give it that right.

11. In another separate action brought against defendant, Blowers v. Lawyers Cooperative Publishing Company, Civil Action No. 1973-47, the EEOC was granted status as amicus curiae on April 27, 1973. In November, 1973, EEOC moved to change its status in the Blowers action (not in this action) from amicus curiae to that of a party. That motion is pending undetermined, and defendant has opposed EEOC participation as a party as unnecessary and on the grounds that it will delay and extend pre-trial proceedings in the Blowers action.

12. EEOC contends in Blowers that, if it is made a party, it will not take any more time to complete the discovery proceedings. This is obviously not possible. As an additional party, it will prolong discovery proceedings. EEOC's application in this action (Loughney) for the right to depose defendant's witnesses after Mrs. Logan-Baldwin is through with her multi-day schedule, shows just how EEOC's presence in the Blowers action will extend discovery proceedings by the addition of a new party.

13. Judge Burke has pending for determination in the Blowers action the class action question. Mrs. Logan-Baldwin argues that, if class action status is granted in Blowers (which we do not believe will be granted since the proof shows it is not a proper case for class action treatment), and if EEOC is granted party status in Blowers (both contingencies being unlikely), then EEOC will have party status in Loughney, since presumably Loughney will then be consolidated with Blowers. Based on these two conjectural "ifs", plus an assumed consolidation, Mrs. Logan-Baldwin wants EEOC to participate as a party to this action now, long before the other two motions are decided by Judge Burke.

14. In the class action motion in Blowers, as required by FRCP 23, Mrs. Logan-Baldwin has represented to the Court that she is capable as an attorney of handling the class action, which may involve claims on behalf of more than 1,500 women. Her representation is clearly erroneous, in light of the fact that she is now crying for help for this Court to permit an agency of the federal government to come to her aid in this action, which involves only one individual claim. If she can't prosecute one individual claim without enlisting the help of the federal government, how can she handle 1,500 claims alone? If EEOC is to become a party to any of these actions, then Mrs. Logan-Baldwin should openly admit her inability to handle the cases alone, and let the EEOC attorneys be substituted in her place (which ought to expedite trial!).

15. In substance, by the present motion, Mrs. Logan-Baldwin wants to "double-team" defendant, giving two separate sets of attorneys (Mrs. Logan-Baldwin and the whole panoply of federal EEOC attorneys) the right to cross-examine defendant's witnesses, even though EEOC is not a party and has no status beyond subjective desire to interfere.



16. Defendant opposes this "double-team" concept on the ground that:

- (a) EEOC is not a party to this action;
- (b) EEOC is not even amicus curiae in this action;
- (c) Mrs. Logan-Baldwin already has 5 days scheduled to start her depositions, and now she wants an additional set of attorneys to further extend deposition time;
- (d) There is no legal basis to permit a stranger (EEOC) to this action to conduct its own depositions just because it wants to do so, and because it has amicus curiae status in another action (Blowers).

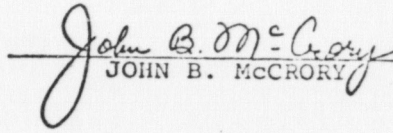
17. Mrs. Logan-Baldwin, in this action which essentially asserts the claims of one individual employee, has already made NOW a party. She now wants to make EEOC a party, or at least give it party rights. Why should there be three different parties to prosecute the claims of one individual employee? Surely that will not expedite trial of this action. How many lawyers and added parties must defendant face in its defense of this action?

18. It is suggested that, if Mrs. Logan-Baldwin really wants federal attorneys to participate, then she should permit EEOC attorneys to be substituted in her place as attorneys of record for the present plaintiffs. Such substitution of attorneys would not only eliminate the "double-team" concept

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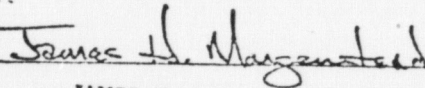
which plaintiffs want to impose on defendant, but it would undoubtedly result in an acceleration of discovery proceedings, a narrowing of the issues (rather than a proliferation and diffusion of issues as accomplished by Mrs. Logan-Baldwin to date), and trial of the issues on the merits at an early date.

19. Defendant should be faced in depositions with one set of attorneys or with another set of attorneys, but not both.

  
JOHN B. MCCRORY

Sworn to before me

January 27, 1975.



JAMES H. MORGENSTERN  
Notary Public in the State of New York  
ROE COUNTY  
Commission Expires March 30, 1975



[Filed 1/31/75]

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

EULA LEE BLOWERS, Individually and on  
behalf of all other persons similarly  
situated,

Plaintiff,

-vs-

LAWYERS COOPERATIVE PUBLISHING  
COMPANY, INC., DONALD BENNETT,  
CHARLES DONNER and ROBERT FEIN,

Defendants.

:  
:  
:  
:  
: CIV-1973-47

:  
:  
:  
: AFFIDAVIT

PATRICIA LOUGHNEY and GENESEE  
VALLEY CHAPTER OF THE NATIONAL  
ORGANIZATION FOR WOMEN,

Plaintiffs,

-vs-

LAWYERS COOPERATIVE PUBLISHING  
COMPANY, INC.,

Defendant.

:  
:  
:  
: CIV-1973-238

MARY NAGEOTTE, VINCENZA LINDA GRICE,  
PASCHA BAKER, PAT PRUSAK, ELLEN  
MICHELSON, ELIZABETH ARES, MARGARET  
MOULTON, BENERLY NEATROUR, VIRGINIA  
SWEENEY and GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN,

Plaintiffs,

-vs-

LAWYERS COOPERATIVE PUBLISHING COMPANY,  
INC.,

Defendant.

:  
:  
:  
:  
: CIV-1973-346

STATE OF NEW YORK:  
COUNTY OF MONROE : SS:  
CITY OF ROCHESTER:

JOHN B. MC CRORY, being duly sworn, deposes and says:

1. I am a member of the firm of Nixon, Hargrave, Devans & Doyle, attorneys for defendants in the above-entitled actions, and am fully familiar with the facts of these actions.

2. Defendant Lawyers Cooperative Publishing Company has never been found guilty of sex discrimination in employment by any Court, Administrative Agency or Board.

3. Defendant Lawyers Cooperative Publishing Company has never been barred from performing Federal contracts on the ground that it practices sex discrimination in employment.

4. Nonetheless, as is apparent from plaintiffs' one inch thick answering affidavits with exhibits, submitted to this Court on December 20, 1974, plaintiffs are convinced that since they sued defendants, defendants are automatically guilty of whatever plaintiffs feel like alleging in their repetitious complaints. There is no basis in law or policy in this notion.

5. Throughout this litigation, defendants have made timely application to this Court whenever defendants have believed plaintiffs' discovery requests improper.

6. If there has been any undue delay in these and related actions, the fact that plaintiffs routinely file affidavits to this Court so voluminous that it is easier to weigh the bulk papers than to count the pages, is obviously the major cause of such delay. The delay caused by plaintiffs' tomes is highlighted by the fact that plaintiffs' affidavits, including its affidavit



in opposition to this motion, are routinely composed largely of re-hashes of plaintiffs' complaints and allegations from earlier pleadings or discovery papers, and such dreary repetition adds nothing to the facts before this Court.

7. Unfortunately, plaintiffs' counsel apparently has a persecution complex if her affidavit to this Court is considered true. Certainly nothing recited by plaintiffs' counsel in her affidavit justifies the level of hysteria displayed therein. Counsel's references to other cases apparently is to be taken as evidence that counsel is victim of some scheme to discredit her, allegedly perpetrated by defendants. Plaintiffs counsel's delusions of persecution are noteworthy, but hardly laudable or supported by fact.

8. If any party has suffered harassment in this litigation, it has been defendants. Plaintiffs have filed at least four Federal suits, one State Court suit, one unemployment compensation action, and three complaints before the New York State Division of Human Rights. All are on behalf of the same ten or eleven employees. All repeat the same allegations. All seek repetitious, cumulative and identical discovery. (Plaintiffs' pattern has been, if defendants make timely objection to discovery in one lawsuit, to simply reissue the same discovery demand in another suit--a convenient and harassing way to "end run" this Court's consideration of a pending defense motion.) Plaintiffs have even gone so far as to attempt to prevent the placing of the Mercury Statute on defendants' building, claiming that somehow the statute affects ~~400~~ employees' employment conditions.

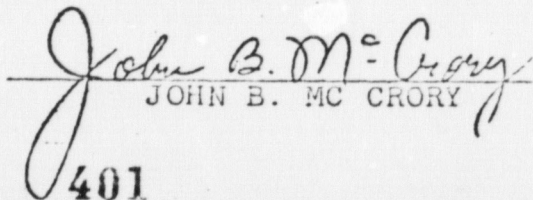
9. Defendants' motion for a protective order does not

seek to impede the press. Defendants' motion asks that the Court recognize that there is an important equal employment opportunity policy in presenting to the public the fact that, although there have been charges of sex discrimination against defendants, none of the charges, as yet, have been judicially or administratively proven by defendants' accusers. In view of plaintiffs' proposed interests in promoting equal employment opportunity, it is indeed unfortunate that defendants were forced by plaintiffs to seek the relief of this Court in an effort to promote the very policies which plaintiffs profess to champion. Plaintiffs' extrajudicial publicity is all the more unfortunate in view of the fact that, if they have legitimate grounds for relief upon their complaints, all that relief will presumably be granted by this Court, not the press.

10. The interest of the Genesee Valley Chapter of the National Organization for Women in the publicity involving these actions, rather than the trial of these actions, is evident, especially since only two of defendants' employees are members of N.O.W. [See, plaintiffs' answers to defendants' first interrogatories served in Loughney v. Lawyers Cooperative Publishing Company (which plaintiffs refused to answer until defendants were forced to seek an order of this Court to obtain answers)].

Dated: January 29, 1975

Sworn to before me this  
29<sup>th</sup> day of January, 1975.

  
JOHN B. MC CRORY

401  
JAMES H. MORGENSTERN  
Notary Public in the State of New York



[Filed 1/31/75]

PATRICIA LOUGHNEY, ET AL.,

Plaintiffs,

v.

LAWYERS COOPERATIVE PUBLISHING,  
COMPANY, INC.,

Defendant.

CIVIL ACTION NO.  
1973-238

AFFIDAVIT

CHARLYN J. BUSS, being duly sworn, affirms and says:

1. I am a trial attorney for the Equal Employment Opportunity Commission (the "Commission"), and represent the Commission in Blowers v. Lawyers Cooperative Publishing Company, Inc. et al., Civil Action Number 1973-47, currently pending before this Court. The Commission has filed a Motion to Intervene in the above case, which motion is also currently pending at this time. The Commission has previously been granted amicus curiae status in this case and in the related Blowers case.
2. The purpose of this affidavit is to clarify the Commission's position regarding the three Title VII lawsuits against Lawyers Cooperative Publishing Co. (Blowers et al., Civil Action No. 1973-47; Loughney et al., Civil Action No. 1973-238; and Nageotte et al., Civil Action No. 1973-346), and to urge that the Commission be permitted to participate in depositions in the Loughney case scheduled for February 18, 1975.
3. The Commission considers these three matters as essentially one piece of litigation since the allegations and factual data involved in these cases are virtually identical.
4. The Commission moved to intervene in Blowers, with the intention of moving to combine all the cases in the event that the Commission be granted intervenor status. Hence it was deemed unnecessary to intervene in all three cases at that time.

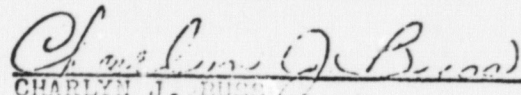
5. However, it now appearing that the Loughney case is proceeding with discovery, the Commission believes it necessary to participate in those depositions to prevent later duplication of effort and to ensure that thorough discovery is conducted on matters which inevitably are a part of all three lawsuits, and not just the Loughney case.

6. In order to prevent further confusion regarding the Commission's position vis-a-vis the three suits, we are forwarding under separate cover the necessary papers for application for intervention in Loughney and Nageotte, and are renewing our request for a decision on our application for intervention in Blowers.

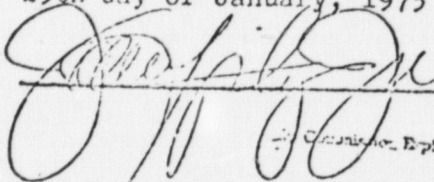
7. We also support plaintiff's motion of April 6, 1973 that plaintiffs in Loughney and Nageotte be added as named plaintiffs in Blowers case, in an effort to allow these matters to be litigated as one lawsuit.

8. The depositions in Loughney are scheduled to begin February 18, 1975. In view of this time factor, I respectfully urge the Court to render an expedited decision on plaintiff's Motion to Allow EEOC Participation in Depositions in the Loughney case.

January 29, 1975  
Washington, D. C.

  
CHARLYN J. DUCE

Sworn to and subscribed before me this  
29th day of January, 1975

  
Notary Public, Expires March 31, 1976



[Filed 1/31/75]

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

PATRICIA LOUGHNEY and GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN

Plaintiff

vs.

LAWYERS COOPERATIVE PUBLISHING COMPANY,  
INC.

Defendant

REPLY AFFIRMATION  
IN SUPPORT OF  
MOTION TO PERMIT  
EQUAL EMPLOYMENT  
OPPORTUNITY COMMIS-  
SION TO PARTICIPATE  
IN DEPOSITIONS

CIV-73-238

Emmelyn Logan-Baldwin, under penalties of perjury,  
affirms the following:

1. I am an attorney at law duly licensed to practice my profession in the State of New York. I am duly admitted to the bar of this court. I am the attorney for the plaintiffs in the above noted action. I am familiar with the pleadings and proceedings in the case. This affirmation is submitted by me in support of the application of plaintiffs for the court to permit the Equal Employment Opportunity Commission to participate in depositions in this case.

2. This lawsuit is one of three lawsuits pending against Lawyers Cooperative Publishing Company, Inc. charging company-wide, class-wide discrimination in employment. The lawsuits are essentially one piece of litigation. This lawsuit and Nageotte and Genesee Valley Chapter of the National Organization for Women, et al. vs. Lawyers Cooperative Publishing Company, Inc. Civ. 1973-346, were initiated after this court had not yet reached a decision on the motion of the plaintiffs in this case and the Nageotte case to be added as named party plaintiffs and members of the class in Blowers, individually and on behalf of all other per-

sons similarly situated vs. Lawyers Cooperative Publishing Company et al., said motion being dated April 6, 1973.

3. Defendant is simply factually incorrect in asserting in its attorney's affidavit of January 27, 1975 that this lawsuit involves only the claims of one individual. The Genesee Valley Chapter of the National Organization of Women is a plaintiff and litigates the vital interest of its members who have been, are or would be employees of defendant Lawyers Cooperative Publishing Company and denied/ <sup>equal employment opportunities</sup> The claims of the plaintiffs in this lawsuits as well as the claims of the plaintiffs in the Blowers and Nageotte cases are claims typical of all women who have been, are or would be employees of Lawyers Cooperative Publishing Company. There should be, as all plaintiffs in the Blowers, Loughney, and Nageotte litigation have asserted, a class action lawsuit constituted.

4. The Equal Employment Opportunity Commission has had amicus status in the Blowers, Loughney and Nageotte litigation from the initiation of the respective suits. The Blowers litigation was filed on January 29, 1973. The Equal Employment Opportunity Commission was given amicus status beginning April 27, 1973. This lawsuit was filed in May of 1973. The Equal Employment Opportunity Commission first appeared as amicus curiae by papers served July 29, 1973. The Nageotte litigation was filed in July of 1973. The Equal Employment Opportunity Commission first had amicus status in the Nageotte case by papers served November 7, 1973. Attorney for defendant is simply incorrect, as a matter of record, in stating that the Equal Employment Opportunity Commission is not an amicus in this case and has no standing in the litigation.

5. The Equal Employment Opportunity Commission moved to intervene in the Blowers litigation and joined in plaintiff's motion therein to constitute that litigation a class action by motion of October 22, 1974. As is set forth in the separate affidavit of Charlyn J. Buss, trial attorney for the Equal Employment Opportunity Commission, January 29, 1975, the Commission has always



considered the Blowers, Loughney and Nageotte litigation to be essentially one piece of litigation. In moving to intervene in the Blowers litigation and joining in the application to constitute that action a class action, the Commission considered it unnecessary to move to intervene at the same time in the Loughney and Nageotte cases.

6. However, since neither the intervention motion nor the class action motion in the Blowers litigation has yet been decided, and in order to eliminate possible confusion about the Commission's view of the litigation, the Equal Employment Opportunity Commission is filing additional motions to intervene both in this case and in the Nageotte litigation.

7. Because the issues raised by all of the plaintiffs in the Blowers, Loughney and Nageotte litigation are the same - the company-wide, class-wide employment discrimination of Lawyers Cooperative Publishing Company, discovery in the litigation would be expedited by the participation of all parties, plaintiffs' counsel, counsel for intervenor applicant or amicus curiae and counsel for defendants. The Equal Employment Opportunity Commission has already told the court that granting of its application to intervene in the Blowers case will neither cause delay in that proceeding nor produce the need for more discovery. The Commission has indicated that it would join in the requests for discovery already made by counsel for plaintiffs and would coordinate its further efforts with the further efforts of counsel for plaintiffs.

8. After the court by its order of October 29, 1974, directed that it would set the dates for defendants to appear for depositions and produce documents, plaintiffs moved by motion dated December 18, 1974 for the court to designate the dates. The motion was returnable on January 13, 1975 but withdrawn by counsel for plaintiffs after attorneys for the defendant stipulated to appearing for depositions and producing the affirmative action

programs on dates mutually convenient to counsel, subject to attorney for plaintiffs' argument of Warth vs. Seldin in the United States Supreme Court. In a subsequent telephone call with one of the attorneys for the defendant when he sought agreement as to change of the physical location of the depositions, counsel for plaintiffs mentioned the anticipated presence and participation of the Equal Employment Opportunity Commission. Attorney for plaintiffs emphasized that there ought be no objections since that participation would expedite the discovery process for all parties. One of the attorneys for the defendant declined cooperation and, attorney for plaintiff is informed and believes that one of the attorneys for the defendant personally gave the same answer when trial attorneys for the Equal Employment Opportunity Commission talked directly with one of the attorneys for the defendant about the desirability for cooperation in expediting the discovery process. This motion to permit the Equal Employment Opportunity Commission to participate in depositions was served on January 20, 1975 after this newest thwarting of expeditious discovery by the attorneys for the defendant.

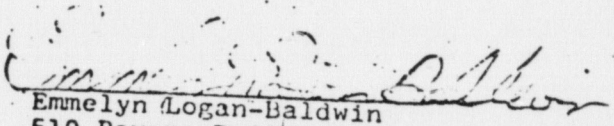
9. The purpose of the participation of the Equal Employment Opportunity Commission in the Blowers, Loughney and Nageotte litigation is to assert the interest of the Commission in eliminating discrimination in employment which it has determined has national impact and which it must, pursuant to Title VII of the Civil Rights Act of 1964, take action against. The participation of the Equal Employment Opportunity Commission, as has been over and over pointed out by plaintiffs and the Commission, is not to shore up the claims of the plaintiffs or plaintiffs' representation. The Commission has already joined in the claims of the plaintiffs in its intervenor complaint in the Blowers litigation and it has affirmatively stated that plaintiffs are adequately represented by counsel. There is no factual basis to attorney for



defendant's latest attack on the competency of the plaintiffs' counsel in his affidavit of January 27, 1975.

10. In light of defendant's attorney frequent attack on counsel for plaintiffs it is hard to be more than amused by the suggestion that the presence of attorneys for the Equal Employment Opportunity Commission will "double-team" the defendant. Apparently, plaintiffs are in the last analysis adequately represented, even in the eyes of attorneys for the defendants. As a matter of fact, there is no "double-teaming" effect of Equal Employment Opportunity Commission participation. The Commission has already indicated that it joins in discovery noticed by attorney for plaintiffs and plans to co-ordinate its future discovery with that of attorney for plaintiffs. Neither at depositions nor at trial will the mere presence of two attorneys for two party plaintiffs produce the result of the same question being asked twice.

For the foregoing reasons, plaintiffs respectfully request that the court grant the motion directing that the Equal Employment Opportunity Commission may participate in the depositions and other discovery in this case.

  
Emmelyn Logan-Baldwin  
510 Powers Building  
Rochester, New York 14614  
Tele: 716-232-2292

January 31, 1975  
Rochester, New York

[Filed 2/6/75]

Motion to Intervene of Equal Employment Opportunity Commission  
is reproduced supra at p. 236



[Filed 2/10/75]

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

PATRICIA LOUGHNEY and GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN

Plaintiffs,

and

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Applicant for Intervention,

VS.

LAWYERS COOPERATIVE PUBLISHING COMPANY, INC.

Defendant.

### AFFIRMATION

IN SUPPORT OF

## APPLICATION

FOR INTERVENTION

Civil Action No.

1973-238

Emmelyn Logan-Baldwin, under penalties of perjury,  
affirms the following:

1. I am an attorney at law duly licensed to practice my profession in the State of New York. I am admitted to the bar of this court. I am the attorney for the plaintiffs in the above noted lawsuit. This affirmation is submitted in support of the motion of the Equal Employment Opportunity Commission to intervene in this lawsuit and to add all parties plaintiff in this lawsuit and in Nageotte and Genesee Valley Chapter of the National Organization for Women, et al. vs. Lawyers Cooperative Publishing Company as named plaintiffs in Blowers, individually and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company et al., as previously requested by all plaintiffs in this and the Nageotte case by motion made in the Blowers case of April 6, 1973.

2. The application for intervention should be granted because:

a) The claims of the Equal Employment Opportunity Commission against Lawyers Cooperative Publishing Company, as evidenced by the complaint submitted with the motion, are the same in substance as the claims of the plaintiffs in this case against Lawyers Cooperative Publishing Company; there are common questions of law and fact presented by the two pleadings.

b) Participation by the Equal Employment Opportunity Commission will allow the federal agency responsible for the enforcement of the primary federal law outlawing discrimination in employment to assert, first hand, the damage to the national interest that the continuation of the illegal employment practices of Lawyers Cooperative Publishing Company effects.

c) The application for intervention is timely. No interest of any party will be prejudiced by the granting of the application. Discovery is yet to be under way pursuant to this court's order of October 29, 1974 directing that dates be set for Lawyers Cooperative Publishing Company agents and/or employees appear for depositions and produce documents.

3. The previous motion of plaintiff Blowers and all plaintiffs in this and the Nageotte case, April 6, 1973, to make all parties plaintiff in one class action lawsuit, should be granted. As all plaintiffs in the Blowers, Loughney, and Nageotte cases have noted in their motion papers of April 6, 1973 and all of the pleadings filed in these cases, all plaintiffs make essentially the same allegations against Lawyers Cooperative Publishing Company, charging company-wide, class-wide discrimination in employment. The review of the claims in the Blowers, Loughney, and Nageotte cases by the Equal Employment Opportunity Commission has led it to make the same allegations against Lawyers Cooperative Publishing Company of illegal employment discrimination. Both the plaintiffs in these lawsuits and the Equal Employment Opportunity Commission have and do consider this litigation against Lawyers Cooperative Publishing Company to be essentially one piece of



litigation - the claims qualifying for class action treatment.

4. The Equal Employment Opportunity Commission pursuant to Title VII of the Civil Rights Act of 1964, has a duty to see that the laws and the national policy effecting those laws to end employment discrimination are obeyed. It has determined, in reaching its decision to intervene in the Blowers, Loughney and Nageotte lawsuits, that the discrimination of Lawyers Cooperative Publishing Company is a national concern and that the lawsuits are of "general public importance". Evidence produced in the Blowers case hearings to date establishes that Lawyers Cooperative Publishing Company is the second largest publisher of legal books in the country, if not the largest such publisher.

5. The Equal Employment Opportunity Commission has participated in all of these cases since their filing. The Blowers lawsuit was filed January 29, 1973. The Equal Employment Opportunity Commission first appeared as amicus curiae on April 27, 1973. The Loughney case was filed in May of 1973 and the Equal Employment Opportunity Commission first appeared as amicus in July of 1973. The Nageotte litigation was filed in July of 1973 and the Equal Employment Opportunity Commission appeared as amicus in November of 1973.

6. Because of its past standing in the Blowers, Loughney and Nageotte litigation as amicus curiae, the Equal Employment Opportunity Commission is familiar with and abreast with the litigation. There would be no delay occasioned by the intervention of the Equal Employment Opportunity Commission.

7. The Equal Employment Opportunity Commission has already indicated in its papers in support of its motion to intervene in the Blowers litigation that its intervention will neither delay nor produce additional discovery. It will join in with the discovery already requested by plaintiffs and co-ordinate its future discovery with the additional discovery requested by the plaintiffs.

8. Threshold issues in these lawsuits have yet to be decided. The discovery motions in the Blowers litigation dated March 22, 1973, February 11, 1974, and May 7, 1974 are still pending. As well, the court has under advisement the designation of the Blowers litigation as a class action and the naming of all plaintiffs in this case and the Nageotte litigation as named plaintiffs and members of the class.

9. The Equal Employment Opportunity Commission, because of its statutory responsibility to interpret, apply and enforce Title VII of the Civil Rights Act of 1964, can make a special and unique contribution to this litigation. The intervenor applicant has an expertise developed by the mandate of Congress in the enactment of Title VII as to all questions which this court must consider - definition of class, scope of discovery, proof of discrimination, etc. The intervenor applicant should be an aid to all parties and the court in resolving these questions of initial impression in this district.

10. The participation of the Equal Employment Opportunity Commission in this litigation will provide further assurance to the court that there will be no time when the interests of the plaintiffs and of the class they represent are not fully and vigorously espoused. Thus, the unsupported attack which attorneys for Lawyers Cooperative Publishing Company constantly make on plaintiff counsel should be finally dismissed as neither a past, present or future concern.

For these reasons, plaintiffs respectfully request that the court grant the application of the Equal Employment Opportunity Commission to intervene in this lawsuit and the motion that all parties in this lawsuit and the Nageotte litigation be added as named plaintiffs in the Blowers litigation with the litigation being designated a class action.

  
Emmelyn Logan-Baldwin

February 7, 1975



UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NEW YORK

PATRICIA LOUGHNEY, et al.,

Plaintiffs,

-vs-

LAWYERS CO-OPERATIVE PUBLISHING COMPANY,  
INC.,

Defendant.

AFFIDAVIT IN  
OPPOSITION TO  
MOTION TO  
INTERVENE

CIV 1973-74

STATE OF NEW YORK:  
COUNTY OF MONROE :  
CITY OF ROCHESTER:

SS:

DONALD S. BENNETT, being duly sworn, deposes and says:

1. I am a Vice President and Director of Personnel of The Lawyers Co-Operative Publishing Company and am familiar with the facts of this action.

2. At no time has the United States Equal Employment Opportunity Commission investigated any charge of discrimination against The Lawyers Co-Operative Publishing Company.

3. No representative of the United States Equal Employment Opportunity Commission has ever contacted me or any other representative of The Lawyers Co-Operative Publishing Company with reference to sex discrimination charges pending before the EEOC or now pending before the United States District Court for the Western District of New York, including the charges of the plaintiffs herein.

Sworn to before me this  
13 day of February, 1975

/s/ Donald S. Bennett  
DONALD S. BENNETT

/s/ J. Alan Beck N.P.

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PATRICIA LOUGHNEY and GENESEE VALLEY  
CHAPTER OF THE NATIONAL ORGANIZATION  
FOR WOMEN,

Plaintiffs

- VS -

CIVIL 1973-233

LAWYERS COOPERATIVE PUBLISHING  
COMPANY, INC.,

Defendant

---

Emmelyn S. Logan-Baldwin  
510 Powers Building  
Rochester, N.Y. 14614  
Attorney for plaintiffs

Nixon, Hargrave, Devans & Doyle  
Lincoln First Tower  
Rochester, N.Y. 14603  
Attorneys for defendant

Charlyn J. Buss  
Trial Attorney  
Equal Employment Opportunity Commission  
1206 New Hampshire Avenue, N.W.  
Washington D. C. 20506

By written motion filed herein February 6, 1975  
Equal Employment Opportunity Commission moves to intervene  
as a plaintiff. The motion is in all respects denied in  
the exercise of discretion. See *Blowers vs. Lawyers  
Cooperative Publishing Company, Inc., et al.*, decided  
this day, Civil 1973-47.



- 2 -

SO ORDERED.

By notice of motion filed January 21, 1975 the plaintiffs move for an order permitting the Equal Employment Opportunity Commission to participate in depositions. The motion is in all respects denied.

SO ORDERED.

Depositions in the Loughnery case which were the subject of discussion before this court at its motion term of February 10, 1975, will proceed on March 17, 18 and 19, 1975, and March 24, 25 and 26, 1975.

SO ORDERED.



HAROLD P. BURKE  
United States District Judge

February 21, 1975.

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NEW YORK

[Filed 3/18/75

PATRICIA LOUGHNEY and GENESEE VALLEY CHAPTER OF  
THE NATIONAL ORGANIZATION FOR WOMEN

Plaintiffs,

-v-

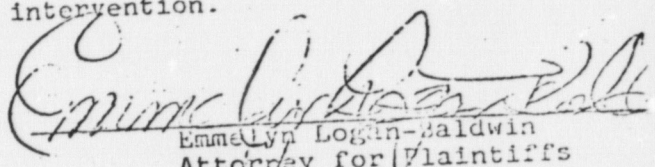
LAWYERS COOPERATIVE PUBLISHING COMPANY, INC.

Defendant.

)  
)  
) NOTICE OF  
) APPEAL

)  
) CIVIL ACTION  
) NO. 1973-238

Plaintiffs Patricia Loughney and Genesee Valley Chapter of the National Organization for Women, hereby appeal from the order and memorandum decision of the Honorable Harold P. Burke, dated February 21, 1975, and denying the motion of the Equal Employment Opportunity Commission to intervene in this case. Plaintiffs appeal on the facts and the law and from each and every part of said order denying intervention.

  
Emmelyn Logan-Baldwin  
Attorney for Plaintiffs  
510 Powers Building  
Rochester, New York 14614  
Tele: 716-232-2292

March 11, 1975



**CIVIL DOCKET**  
**UNITED STATES DISTRICT COURT**

Jury demand date:

Civ-1973-346

D. C. Form No. 106 Rev.

TITLE OF CASE	ATTORNEYS
MARY NAGEOTTE	For plaintiff:
VINCENZA LINDA GRICE	Emelyn Logan-Baldwin
PASCHA BAKER	510 Powers Building
PAT PRUSAK	Rochester, New York 14614
ELLEN MICHELSON	716-232-2292
ELIZABETH AREA	Appeal of EEOC (applicant for job)
MARGARET MOULTON	Kenneth M. Davidson, Esq.,
BEVERLY NEATROUR	District Counsel
VIRGINIA STEENEY and	Equal Employment Opportunity Comm
GENESEE VALLEY CHAPTER OF THE	One E. Genesee St., Rm. 1020
NATIONAL ORGANIZATION FOR WOMEN	Buffalo, New York 14202
VS.	Charlyn J. Russ, Esq., EEOC
THE LAWYERS COOPERATIVE PUBLISHING	Office of General Counsel
COMPANY	2401 E Street, N.W.
	Washington, D.C. 20506
	For defendant:
	John B. McGroary
	Nixon, Hargrave, Devans & Doyle
	Lincoln First Tower
	Rochester, New York 14603
	Amicus Curiae
	Elsa Dik Glass
	Atty. for Equal Employment Oppor
	Washington, D.C. 20506

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	7/2/73	# 9719	15 00	
		7/15/73	Trans. 485		15 00
J.S. 6 mailed	Marshal				
Basis of Action:	Docket fee				
Civil Rights-	Witness fees				
Discrimination-injunc-	Depositions				
tion					
Action arose at:					

Civ-1973-346 Mary Nageotte, et al. v. The Lawyers Cooperative Publishing Company

DATE		PROCEEDINGS	Date of Judgment
1973			
July 12		Filed Complaint	
17		Issued Summons & 1 copy	
17		JS 5 made	
27		Filed Summons & Mar. ret. on S&C served 7/24/73	
Oct. 15		Deft's. affidavit, notice of motion and motion to dismiss complaint-ret. 11-12-73-adj. 11-26-73	
Nov. 8		U.S. Equal Employment Opportunity Comm. motion to file prior brief Amicus Curiae in Civ-1973-238 as a companion brief to this case	
9		Pltfs'. affidavit in opposition to motion to dismiss	
9		Pltfs'. affidavit in opposition to motion to dismiss	
19		Order granting EEOC motion to file former amicus curiae brief as a companion brief in this case-Burke, DJ. Notice & copies to Emmelyn Logan-Baldwin & John B. McCrory	F-1
26		Deft. motion to dismiss. Simultaneous briefs to be submitted 2 wks. from today. Each side to have one wk. to reply	
1974			
Mar. 27		Filed order denying deft's motion to dismiss complaint-Burke, DJ. Notice & copies to Emmelyn Logan-Baldwin, John B. McCrory and Elsa Dik Glass	F-
Apr. 9		Deft's. answer to complaint	
Dec. 9		Deft's. affidavit and motion for protective order-ret. 12/23/74 (in Civ-1973-47)	
23		Pltfs'. affirmation & notice of cross motion for protective order & to compel discovery; opposition to Deft's. motion for protective order-ret. at Roch. 12-23-74 (in Civ-1973-47)	
23		Motion by Deft. for protective order. Cross motion by Pltfs. for protective order, etc. To be submitted 1-23-75	
1975			
Jan. 31		Filed Deft's. affidavit (in Civ-1973-238)	
Feb. 6		EEOC motion to intervene as party plff. (filed in Roch.)	
6		EEOC notice of motion to intervene and motion to consolidate this case with Civ-1973-47 and Civ-1973-238 or in the alternative to add all pltfs. as parties in Civ-1973-47-ret. at Roch 2-10-75 (in Civ-1973-47)	
6		Pltfs'. certificate of service of above motion (in Civ-1973-47)	
10		Pltfs'. affirmation in support of application for intervention (filed in Roch.)	
10		Motion by EEOC to intervene. To be submitted 1 wk. from today	
10		Filed Pltfs'. reply affirmation in support of cross motion for protective order and to compel disclosure; opposition to deft's. motion for protective order (in Civ-1973-47)	
17		letter from Pltfs' attorney to Hon. Harold P. Burke dated 2-17-75 (in Civ-1973-47)	
20		Deft's. affidavit in opposition to motion to intervene	
20		Deft's. memorandum of points & authorities, preliminary statement	
24		Decision & Order denying motion of EEOC to intervene as a party plaintiff-Burke, DJ. Notice & copies to Emmelyn S. Logan-Baldwin, Nixon, Hargrave, Devans & Doyle and Charlyn J. Russ	
Mar. 18		Pltfs'. Notice of Appeal (copy mailed to Mr. McCrory and to Clerk, CCA with copy of docket entries; CCA's Forms C and D mailed to Mrs. Logan-Baldwin)	





UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

[Filed 7/12/73]

MARY NAGEOTTE  
125 Falmouth Street  
Rochester, New York 14615

VINCENZA LINDA GRICE  
110 Avis Street  
Rochester, New York 14615

PASCHA BAKER  
17 Alexis Street  
Rochester, New York 14609

PAT PRUSAK  
1180 Ridge Road East  
Rochester, New York 14621

ELLEN MICHELSON  
101 Warrington Drive  
Rochester, New York 14618

ELIZABETH ARES  
75 Lored Road  
Victor, New York 14564

MARGRET MOULTON  
691 East Main Street  
Rochester, New York 14605

BEVERLY NEATROUR  
23 Birch Crescent  
Rochester, New York 14607

VIRGINIA SWEENEY  
48 Harlem Street  
Rochester, New York 14607

and

GENESEE VALLEY CHAPTER OF THE  
NATIONAL ORGANIZATION FOR WOMEN  
349 Parsells Avenue  
Rochester, New York 14609

Plaintiffs,

-against-

THE LAWYERS COOPERATIVE PUBLISHING COMPANY  
Aqueduct Building, 1 Aqueduct Street  
Rochester, New York 14603

Defendant

COMPLAINT

Civ. Action No.  
1973-346



## JURISDICTION

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1343 (4); 42 U.S.C. §2000 (e) 5 (f) and 28 U.S.C. §§ 2201 and 2202. This suit is authorized and instituted pursuant to Title VII of the Act of Congress known as "The Civil Rights Act of 1964", Title VII as amended by the Equal Employment Opportunities Act of 1972, 42 U.S.C. §2000 (e) et seq. The jurisdiction of this Court is invoked to secure protection of and to redress deprivation of rights secured by (a) 42 U.S.C. §2000 (e) et seq. providing for injunctive and other relief against discrimination on the basis of sex in employment and (b) 42 U.S.C. §1981, providing for the equal rights of all persons in every state and territory within the jurisdiction of the United States.

2. Charges of discrimination have been filed with the Equal Employment Opportunity Commission, the charges were properly deferred, more than 180 days elapsed since the Equal Employment Opportunity Commission has issued Right to Sue Notice<sub>s</sub> to plaintiffs. Copies of the Right to Sue Notices are attached hereto and made a part hereof as Exhibit A. All plaintiffs herein have heretofore moved to be added as named party plaintiffs and members of the class in the lawsuit pending in this Court captioned Eula Lee Blowers, individually, and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company, Inc., Donald Bennett, Charles Donner and Robert Fein, Civil Action No. 1973-1. Plaintiffs renew their application for treatment of these claims on a class action basis. Since the Court has not reached decision on that application, plaintiffs hereby perfect their lawsuit pursuant to Title VII of the Civil Rights Act.

## PARTIES

3. Plaintiff MARY NAGEOTTE is a private citizen who resides at 125 Falmouth Street, Rochester, New York. Plaintiff Nageotte is a member of plaintiff Genesee Valley Chapter of the N.O.W. Plaintiff Nageotte <sup>422</sup> has been employed by Defendant Lawyers Cooperative Publishing Company since September 1972.

-3-

with the exception of a period of absence between June, 1969 and September, 1969. She has at various times sought and continues to seek advancement at Lawyers Cooperative Publishing Company. She holds a Bachelor of Science degree in Elementary Education from the University of Rochester with a minor of twenty-four hours in English.

4. Plaintiff VINCENZA LINDA GRICE is a private citizen who resides at 110 Avis Street, Rochester, New York. Plaintiff Grice is and has been employed by Defendant Lawyers Cooperative Publishing Company since February, 1971. She is presently classified an advance reader. She has at various times sought and continues to seek advancement at Lawyers Cooperative Publishing Company. She holds a Bachelor of Science degree in Education from the Geneseo State College, Geneseo, New York. She has attended night school at the University of Rochester (undergraduate college).

5. Plaintiff PASCHA BAKER is a private citizen who resides at 17 Alexis Street, Rochester, New York. Plaintiff Baker is and has been employed by defendant Lawyers Cooperative Publishing Company since November, 1970 in the "proof room." She has at various times sought and continues to seek advancement at Lawyers Cooperative Publishing Company. She holds a high school degree from the Monroe High School, Rochester, New York. She has attended night school at the University of Rochester (undergraduate college). She has matriculated at the University of Rochester (undergraduate school) for the awarding of a degree, B.A. in English.

6. Plaintiff PAT PRUSAK is a private citizen who resides at 1180 Ridge Road East, Rochester, New York. Plaintiff Prusak is and has been employed by Defendant Lawyers Cooperative Publishing Company since November, 1970 in the proofroom. She desires advancement at Lawyers Cooperative Publishing Company. She holds a high school degree from Cardinal Mooney High School, Rochester, New York. She has had two years of college at Stony Brook College and currently attends



night school at Monroe Community College. Previously she has earned undergraduate credits in the undergraduate night schools of Monroe Community College and University of Rochester. She has matriculated at the University of Rochester undergraduate school for the awarding of a B.A. degree in psychology.

7. Plaintiff ELLEN MICHELSON is a private citizen who resides at 101 Warrington Drive. Rochester, New York. Plaintiff Michelson was employed by defendant Lawyers Cooperative Publishing Company from April 1971 to the fall of 1972 in the "proof room". As an employee of the defendant, she desired advancement. She holds a high school degree from the Brighton High School, Rochester, New York.

8. Plaintiff ELIZABETH ARES is a private citizen who resides at 75 Lored Road, Victor, New York. Plaintiff Ares is and has been employed by defendant Lawyers Cooperative Publishing Company since September, 1970 as a copyholder proofreader. She has at various times sought and continues to seek advancement at Lawyers Cooperative Publishing Company. She holds a high school degree from Brighton High School, Rochester, New York and attended Monroe Community College for one year. She has attended night school at Monroe Community College for four semesters and has been enrolled in R.I.T. night school.

9. Plaintiff MARGRET MOULTON is a private citizen who resides at 691 East Main Street, Rochester, New York. Plaintiff Moulton is and has been employed by defendant Lawyers Cooperative Publishing Company. She holds a high school degree from Nazareth Academy Convent, Rochester, New York

10. Plaintiff BEVERLY NEATROUR is a private citizen who resides at 23 Birch Crescent, Rochester, New York. Plaintiff Neatrour was employed by defendant Lawyers Cooperative Publishing Company from August 1968 to summer 1973 in the proofroom. She at various times sought advancement at Lawyers Cooperative Publishing Company. She holds a high school degree from Penfield High School, Penfield, New York.

11. Plaintiff VIRGINIA SWEENEY is a private citizen who resides at 48 Harlem Street, Rochester, New York. Plaintiff Sweeney is and has been employed by defendant Lawyers Cooperative Publishing Company since April, 1966. She presently holds a position in defendant's advance reading department. She has at various times sought and continues to seek advancement at Lawyers Cooperative Publishing Company. She holds a high school degree from Monroe High School, Rochester, New York.

12. Plaintiff NATIONAL ORGANIZATION FOR WOMEN is a non-profit organization of persons in the United States united in an effort to bring the benefits and guarantees of the Constitution and laws of the United States to female citizens of the United States. Plaintiff Nageotte is a member of the Genesee Valley Chapter of the National Organization for Women.

A. The National Organization for Women is an organization of men and women who in their Statement of Purpose adopted in 1966, dedicated themselves "to the proposition that women, first and foremost, are human beings, who, like all other people in our society, must have the chance to develop their fullest human potential." These persons organized "to initiate or support action nationally, or in any part of this nation, by individuals or organizations, to break through the silken curtain of prejudice and discrimination against women in government, industry, the professions, the churches, the political parties, the judiciary, the labor unions, in education, science, medicine, in



religion and every other field of importance in American society. The Genesee Valley Chapter of the National Organization for Women is an affiliate of the National Organization for Women.

B. Among the purposes of the National Organization for Women are (1) to secure that "the power of American law and the protection guaranteed by the U. S. Constitution to the civil rights of all individuals" are effectively applied and enforced "to isolate and remove patterns of sex discrimination, to ensure equality of opportunity in employment and education, and equality of civil and political rights and responsibilities on behalf of women, as well as for Negroes and other deprived groups." A copy of the Statement of Purpose of the National Organization for Women is attached hereto and made a part hereof as Exhibit A-1.

C. In conjunction with the efforts of the organization to secure the equal protection of the laws to women, Negroes and other deprived groups, the Genesee Valley Chapter of the National Organization for Women as well as the national office of the National Organization for Women maintain committees to review requests for information on legal rights of women and information on how the National Organization for Women can assist in securing those rights to women, Negroes and other deprived groups. This assistance is available both to members and non-members of the National Organization for Women.

D. Plaintiff Genesee Valley Chapter of the National Organization for Women have and/or have had members who were denied entry level positions and/or promotions, were discharged, or not recruited for available positions and/or were otherwise discriminated against in employment opportunities by defendant Lawyers Cooperative Publishing Company solely or prima because of race, national origin and/or sex. Upon information and belief, many of said persons discriminated against because of sex, race and/or national origin either fear to identify them-

selves individually or otherwise file complaints because of possible retaliation by defendant Lawyers Cooperative Publishing Company and/or fear that future promotions would be jeopardized by such individual identification. Plaintiff Genesee Valley Chapter of the National Organization for Women has initiated this action on behalf of its members who are employed, have been employed and who may in the future be employed by Lawyers Cooperative Publishing Company, and on behalf of women as a class who are employed, have been employed, or may be employed by Lawyers Cooperative Publishing Company and who have been or will be subjected to the discriminatory practices, policies, usages and customs of the defendant Lawyers Cooperative Publishing Company.

13. Defendant, Lawyers Cooperative Publishing Company, is a New York Corporation engaged in the business of publishing law books. Its principal offices and principal place of business are at One Aqueduct Street, Rochester, New York. It is engaged in industry affecting commerce, and employs 25 or more persons.

#### STATEMENT OF CASE

14. This is a proceeding for a declaratory judgment as to the rights of the plaintiffs for damages, back wages and for injunctive relief restraining the defendant from maintaining a practice, policy, custom or usage of:

A. Discriminating against plaintiffs and other female employees because of sex, race and national origin with respect to compensation, terms, conditions and privileges of employment and

B. Limiting, segregating and classifying employees of defendant in ways which deprive the plaintiffs and other female employees of employment opportunities and otherwise adversely affecting their status as employees because of their sex, race and national origin.

15. The defendant has consistently and purposefully limited and deprived its women employees, including plaintiffs,



herein of their rights guaranteed to them under the United States Constitution and federal law, with the intent and design, both directly and indirectly, of fostering and protecting, the advantage and advancement of white male employees to the detriment of the female employees.

#### COUNT I

16. Upon information and belief, the Lawyers Cooperative Publishing Company maintains a policy of discrimination against its women employees, including plaintiffs, herein, by virtually excluding them from certain job classifications including but not limited to: purchasing agent, accountant, computer librarian, truck driver, pressman, managing editor, professional interviewer, printing personnel, systems analyst, certain machine operators (highest paid operators in gathering, shipping, binding), all managerial positions and all positions above managerial level. Job classification in Lawyers Cooperative determines the rate of pay an employee receives. Women employees customarily and uniformly have lower job classifications and lower rates of pay than male employees performing the same or similar duties or responsibilities and possessing the same skills.

A. Upon information and belief, for example, the advance reading department is classified as a clerical, non-exempt job. The advance reading department is and always has been composed of only women employees. The starting salary in the advance reading department is \$118.50 per week. On the other hand the correspondence department where persons of both male and female sex are employed, is classified as an exempt position and the starting salaries of the correspondence department are - collection correspondent, \$131.25 per week and junior correspondent, \$146.25 per week. Work done by employees in the advance reading department is the same or similar work as that performed by the employees of the correspondence department. Because of the arbitrary classification of the advance reading department

jobs as clerical, non-exempt and the arbitrary classification of the correspondence department jobs as technical, exempt, Lawyers Cooperative Publishing Company is engaged in a practice, custom and usage of discriminating against female employees by making available to the exempt employee additional employee benefits while excluding the non-exempt employees, the female employees, from additional benefits.

COUNT II

17. Upon information and belief, defendant maintains a policy, practice, custom and usage of discrimination against its women employees by placing its women employees, including plaintiffs herein, in low, menial classifications while requiring them to perform work of high, technical and professional caliber and classification; the women receive pay, including overtime pay at the low, menial level.

COUNT III

18. Upon information and belief, defendant maintains a policy, practice, custom and usage calculated to discriminate against the female employees, including plaintiffs herein, by a conscious practice of filling only certain jobs in its job classifications with women employees which it carefully recruits with a design to hire only those women who will work for sub-standard wages and be docile. Lawyers Cooperative Publishing Company has at least five departments in which there has never been nor is there now a female employee.

COUNT IV

19. Upon information and belief, defendant maintains a policy, practice, custom and usage of recruitment for employment which is directed to seeking and hiring only the white male for the best paying, career-oriented jobs, while seeking and hiring women, including plaintiffs, herein, for low-paying, menial jobs with little or no career, supervisory or management



potential.

COUNT V

20. Upon information and belief, defendant maintains a policy, practice, custom and usage of excluding women, including plaintiffs, herein, from training programs to which men with the equivalent or less education and skills are enrolled either at the commencement of their employment or during certain stages in their employment. Men employees customarily finish training programs with job classifications not customarily granted their female counterparts.

COUNT VI

21. Upon information and belief, defendant maintains a policy, practice, custom and usage of discriminating against its women employees, including plaintiffs herein, by classifying and assigning jobs for the white male employees as jobs which are career, supervisory and management oriented while classifying jobs for women which are low paying and of menial nature and without career, supervisory or management potential.

COUNT VII

22. Upon information and belief, defendant discriminates against its women employees, including plaintiffs herein, by maintaining a policy, practice, custom and usage of promoting and transferring the employees so that the white male employee is advanced to the high-paying, career-oriented, supervisory or management position while the woman employee is retained in low-paying, menial jobs which are not career, supervisory or management oriented.

COUNT VIII

23. Upon information and belief, defendant discriminates against its women employees, including plaintiffs herein, by maintaining a policy, practice, custom and usage of paying women employees of whatever job description, classification or job level less than white male counterparts when the education, skill and competence of the woman employee equals or exceeds that of the white male counterpart.

skill and competence of the white male employee engaged in the same or similar work.

COUNT IX

24. Upon information and belief, defendant discriminated against its women employees, including plaintiffs herein, by maintaining a policy, practice, custom and usage of fostering an atmosphere in the employment situation which is calculated to harass, embarrass, humiliate and thereby cause the woman employee to "keep her place."

A. This practice, policy, custom or usage of the defendant is evidenced from the initial interview with the female employee when corporate agents ask of the prospective female employee questions calculated to isolate persons who have nothing but completely ordinary social and political ideas. Further, the initial interview of female employees is calculated to exclude from further prospect of employment all women who do not indicate their disinclination to have children and who fail to divulge such personal information to the corporate interviewer as her menstrual cycle experience. Male prospective employees are not so "screened."

B. At the time of the employment interview with the personnel officer, particular inquiry is made of prospective female employees as to dating, plans for marriage or remarriage, depending upon the current marital status of the female. Defendant routinely requires of females making employment applications that, as a condition of making any employment offer, the females be examined by a woman gynecologist retained by the defendant..

C. The defendant fosters an atmosphere calculated to humiliate and depress the woman employee upon hiring by thereafter imposing close restrictions on the movement of the employee during the normal working day including, but not limited to, checking on when the woman employee travels from one floor to another, when the female employee uses the restroom, takes a coffee break, etc.



Further, the female employee is led to believe that company personnel are watching all of her moves, particularly the times when female employees are conversing among themselves. The company further seeks to intimidate and humiliate its female employees by removing from the individual employee's work area any poster, sign or note which expresses a sentiment which a company agent considers inappropriate. Company agents from time to time examine women employees' personal, private property in their desks. Male employees are not subjected to this surveillance of thought and action.

D. Sex discrimination is a pervasive way of life at Lawyers Cooperative. Particularly distressing to plaintiffs and other women employees is the continual surveillance which the company arranges for all of its female employees. Women are carefully watched for the time they take coffee breaks or go to the restrooms. Women are specifically forbidden to go to the cafeteria except at authorized break times. Men are not so restricted. The company has appointed, for example, in the editorial clerical department a supervisor who does nothing all day but read magazines and watch the women employees to see that they are not leaving too early, going to the restroom too often and observes which women are talking to other women.

E. Lawyers Cooperative Publishing Company heightens the atmosphere of surveillance and suspicion by advising an employee that "someone" saw you do this and such. When an employee will attempt to find out who has accused, the supervisors will give no information on the charges.

F. The company maintains and enforces a dress code which applies only to its women employees.

G. The company engages in a policy with respect to its women employees of arbitrarily denying a portion of periodic, mandated, wage increases for its women employees - wage increases to which those women employees would have been entitled

in the application of the normal wage scale for that salary level.

H. The defendant seeks to heighten the employment disadvantage of its female employees by failing to post information adequately on promotion and transfer opportunities in other parts of the company for the benefit of female employees; when the company officials are contacted by female employees with respect to promotion and/or transfer, company employees routinely give little or no information on those opportunities to female employees.

#### COUNT X

25. Upon information and belief defendant discriminates against its women employees, including plaintiffs herein, by maintaining a policy, practice, custom and usage of denying sick leave and other benefits to its female employees who become pregnant during the course of their employment.

#### COUNT XI

26. Upon information and belief, the defendant maintains the policy, practice, custom and usage of retaliating against and/or attempting to intimidate female employees who complain of the company's illegal, discriminatory policies and practices.

#### EFFECTS OF DEFENDANT'S ACTS

27. The effect, purpose and intent of the aforementioned policies and practices pursued by the defendant, have been, and continue to be, to limit, segregate, classify and discriminate against plaintiffs herein and other female employees, in ways which jeopardize their employment opportunities and the opportunities of other female workers and otherwise affect adversely their status as employees.

28. All the practices herein alleged are continuing up to the present time despite the efforts of the plaintiffs and other female employees having complained to the New York State Division of Human Rights and Equal Employment Opportunity Commission and the complaints of the plaintiffs and other female em-



employees having been found in the New York State Division of Human Rights to state "probable cause" of unlawful, discriminatory acts on the defendant's part.

29. Plaintiffs and other female employees, have no plain, adequate or complete remedy at law to redress the wrongs alleged herein and this suit for preliminary and permanent injunction is the only means of securing adequate relief. The plaintiffs and other female employees are now suffering and will continue to suffer irreparable injury from the defendant's policies, practices, customs and usages set forth herein.

30. By reason of the foregoing unlawful and discriminatory actions of the defendant, plaintiffs have suffered damages.

#### PRAYER FOR RELIEF

31. Wherefore, the plaintiffs respectfully pray that this court advance this case on the docket, order a speedy hearing at the earliest possible date, cause this case to be in every way expedited and upon such hearing to:

(1) Declare that defendant has discriminated and continues to discriminate against the plaintiffs on the basis of sex, race and national origin and in violation of federal statutory and constitutional law;

(2) Grant the plaintiffs preliminary and permanent injunctions enjoining the defendant, its agents, successors, employees, attorneys and those acting in concert with them and at their direction from continuing:

(a) To exclude women from certain job classifications, including but not limited to: Purchasing Agent, Accountant, Computer Librarian, Truck Driver, Press Man, Managing Editor, Professional Interviewer, Printing Personnel, Systems Analyst, Certain Machine Operators (highest paid operators in gathering, shipping, binding), all managerial positions and positions above managerial levels.

(b) To place its women employees in low, menial classifications while requiring them to perform work of high, technical and professional caliber and classification.

(c) To fill only certain jobs in its job classification with women employees which it carefully recruits with the design to hire only those women employees who will work for substandard wages and be docile.

(d) To hire only the white male for the best paying, career-oriented jobs, while seeking and hiring women for low-paid, menial jobs with little or no career, supervisory or managerial potential.

(e) To exclude women from training programs to which men with equivalent or less education and skills are enrolled either at the commencement of their employment or during certain stages of their employment.

(f) To classify and assign jobs for the white male employee which are career, supervisory and managerial oriented while classifying and assigning jobs for women which are low paying and of menial nature and without career, supervisory or managerial potential.

(g) To promote and transfer employees so that the white male employee is advanced to the higher-paying, career-oriented, supervisory or managerial positions while the women employees are retained in low-paying, menial jobs which are not career, supervisory or managerial oriented.

(h) To pay women of whatever job description classification or job level less than white male counterparts when the education, skill and competence of the woman employee equals or exceeds the education, skill and competence of the white male engaged in the same or similar work.

(i) To foster an atmosphere in the employer situation calculated to harass, embarrass, humiliate and cause the woman employee to "keep her place."



(j) To subject female employees to examination of social and political ideas; to subject female applicants to questions on birth control or family planning; to subject female applicants to questions on menstrual cycle during the interview process.

(k) To maintain surveillance of female employees during the normal working day; to remove female employees' property from their work area; to examine any personal property of a female employee in her work area.

(l) To maintain and enforce a dress code against its women employees.

(m) To deny arbitrarily a portion of a periodic, mandated, wage increase to women employees.

(n) To fail to post pertinent information on promotion and transfer opportunities in other parts of the company for the benefit of female employees; to fail to give complete information of promotion and/or transfer opportunities when inquiries are made.

(o) To fail to provide sick leave and other benefits to female employees who become pregnant during the course of their employment.

(p) To retaliate against women employees for their complaining of illegal, discriminatory practices.

(q) To intimidate or attempt to intimidate any person for having complained of illegal, discriminatory acts.

(r) To "blackball" or attempt to "blackball" any person for having complained of illegal, discriminatory acts.

32. Grant the plaintiffs a preliminary and permanent injunction, enjoining the defendant, its agents, successors, employees, attorneys, and those acting in concert with them and at their direction from continuing and maintaining any policy, practice, custom or usage of denying, abridging, withholding, conditioning, limiting or otherwise interfering with the rights

of the plaintiffs to enjoy equal employment opportunities as secured by Title VII of the Civil Rights Act of 1964, as amended.

33. Grant the plaintiffs a preliminary and permanent injunction enjoining the defendant, its agents, successors, employees, attorneys and those acting in concert with them and at their direction from continuing and maintaining any policy, practice, custom or usage of limiting and depriving plaintiffs opportunities for promotion or transfer because of sex.

34. Grant each of the plaintiffs an order requiring the defendant to:

(a) Reclassify each plaintiff in a non-discriminatory classification.

(b) Pay each plaintiff on a non-discriminatory pay scale.

(c) Pay each plaintiff back pay at the rate she would have received had she not been discriminated against from the time of her employment to the present with Lawyers Cooperative Publishing Company, Inc.

(d) Provide each plaintiff with training, transfer and promotion opportunities on a non-discriminatory basis.

(e) Expunge each plaintiff's employment record of any derogatory personal comments inserted by defendant's agent as a consequence of the defendant's agent or agents retaliation and/or intimidation efforts against each plaintiff.

(f) Pay each plaintiff the company benefits to which she would have been entitled had she not been discriminated against from the time of her employment to the present with Lawyers Cooperative Publishing Company, Inc.

35. Establish a mechanism for the enforcement of the injunctions, by requiring the defendant to present to the court within 30 days from the issuance of the injunctions, a plan showing precisely and in detail how to comply with the court's order that it cease and desist from policies, practices, customs



and usages of discrimination against the plaintiffs on account of their sex, race and national origin as to compensation, terms, conditions, and privileges of employment.

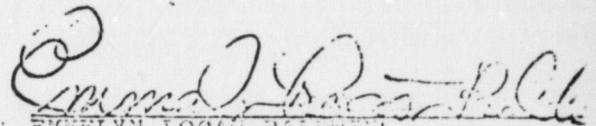
36. Allow the plaintiffs the costs of the action herein including reasonable attorney's fees.

37. Award each plaintiff One Hundred Thousand Dollars (\$100,000.00) compensatory damages for the discriminatory, unlawful acts of the defendant.

38. Award plaintiffs damages by way of example against the defendant in an amount commensurate with the wrong and the defendant's ability to pay.

39. Grant such other and further relief as may appear to this court just and proper.

Respectfully submitted,



EMMELYN LOGAN-BALDWIN  
Attorney for Plaintiffs  
Office and Post Office Address  
19 Arnold Park  
Rochester, New York 14607  
716-442-4150



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 242 - 5170

Re:

NOTICE OF RIGHT TO Sue  
WITHIN 90 DAYS

In Case No. TBSJ 0105 before the Equal Employment Opportunity Commission, United States Government.

National Organization for Women

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

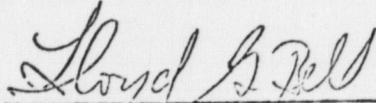
WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCallum of our Regional Office at (212) 264-3644.

  
\_\_\_\_\_  
LLOYD G. BELL, District Director

4-13-73  
\_\_\_\_\_  
DATE





EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0169 before the Equal Employment Opportunity Commission, United States Government.

Mary Nageotte

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

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If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

Lloyd G. Bell  
LLOYD G. BELL, District Director

4-13-73  
DATE



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0170 before the Equal Employment Opportunity Commission, United States Government.

Vincenza Linda Grice

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

*Lloyd G. Bell*  
\_\_\_\_\_  
LLOYD G. BELL, District Director

*4-13-73*  
\_\_\_\_\_  
DME

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EXHIBIT A





EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0171 before the Equal Employment Opportunity Commission, United States Government.

Pascha Baker

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

*Lloyd G. Bell*  
\_\_\_\_\_  
LLOYD G. BELL, District Director

4-13-73  
\_\_\_\_\_  
DATE



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0172 before the Equal Employment Opportunity Commission, United States Government.

Pat Prusak

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

*Lloyd G. Bell*

LLOYD G. BELL, District Director

DATE

4-13-73





EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0173 before the Equal Employment Opportunity Commission, United States Government.

Ellen Michelson

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

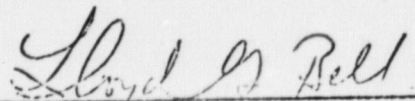
WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

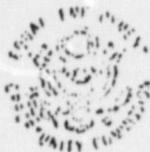
Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

  
LLOYD G. BELL, District Director

4-13-73  
DATE



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0174 before the Equal Employment Opportunity Commission, United States Government.

Elizabeth Area  
v.  
Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

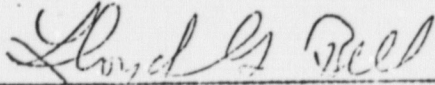
WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

  
LLOYD G. BELL, District Director

4-13-73  
DATE





EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0175 before the Equal Employment Opportunity Commission, United States Government.

Margret Moulton

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

*Lloyd G. Bell*

LLOYD G. BELL, District Director

DATE

4-13-73



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0176 before the Equal Employment Opportunity Commission, United States Government.

Beverly Neatrour

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

Lloyd G. Bell  
LLOYD G. BELL, District Director

4-13-73  
DATE





EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
1 WEST GENESEE STREET  
BUFFALO, NEW YORK 14202  
(716) 842 - 5170

Re:

NOTICE OF RIGHT TO SUE  
WITHIN 90 DAYS

In Case No. TBU3 0177 before the Equal Employment Opportunity Commission, United States Government.

Virginia Sweeney

v.

Lawyers Cooperative Publishing Company

YOU ARE HEREBY NOTIFIED THAT:

WHEREAS, this Commission has not filed a civil action with respect to your charge as provided by section 706(f)(1) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq; and,

WHEREAS, this Commission has not entered into a conciliation agreement to which you are a party;

THEREFORE, Pursuant to §706(F) of Title VII, you may, within 90 days of your receipt of this Notice, institute a civil action in the United States District Court having jurisdiction over your case.

Should you decide to commence judicial action, you must do so within 90 days of the receipt of this letter or you will lose your right to sue under Title VII.

If you are not represented by counsel and you are unable to obtain counsel, the Court may, in its discretion, appoint an attorney to represent you.

Should you have any question concerning your legal rights or have any difficulty filing your case in court, please contact Mr. Kenneth McCulloch of our Regional Office at (212) 264-3644.

*Lloyd G. Bell*

LLOYD G. BELL, District Director

4-13-73

DATE

THE NATIONAL ORGANIZATION FOR WOMEN  
(N.O.W.)

Statement of Purpose

(Adopted at the organizing conference in Washington, D. C.,  
October 29, 1966)

We, men and women who hereby constitute ourselves as the National Organization for Women, believe that the time has come for a new movement toward true equality for all women in America, and toward a fully equal partnership of the sexes, as part of the world-wide revolution of human rights now taking place within and beyond our national borders.

The purpose of NOW is to take action to bring women into full participation in the mainstream of American society now, exercising all the privileges and responsibilities thereof in truly equal partnership with men.

We believe the time has come to move beyond the abstract argument, discussion and symposia over the status and special nature of women which has raged in America in recent years; the time has come to confront, with concrete action, the conditions that now prevent women from enjoying the equality of opportunity and freedom of choice which is their right, as individual Americans, and as human beings.

NOW is dedicated to the proposition that women, first and foremost, are human beings, who, like all other people in our society, must have the chance to develop their fullest human potential. We believe that women can achieve such equality only by accepting to the full the challenges and responsibilities they share with all other people in our society, as part of the decision-making mainstream of American political, economic and social life.

We organize to initiate or support action, nationally, or in any part of this nation, by individuals or organizations, to break through the silken curtain of prejudice and discrimination against women in government, industry, the professions, the churches, the political parties, the judiciary, the labor unions, in education, science, medicine, law, religion and every other field of importance in American society.

Enormous changes taking place in our society make it both possible and urgently necessary to advance the unfinished revolution of women toward true equality, now. With a life span lengthened to nearly 75 years it is no longer either necessary or possible for women to devote the greater part of their lives to child-rearing; yet childbearing and rearing which continues to be a most important part of most women's lives--still is used to justify barring women from equal professional and economic participation and advance.

Today's technology has reduced most of the productive chores which women once performed in the home and in mass-production industries based upon routine unskilled labor. This same technology has virtually eliminated the quality of muscular strength as a criterion for filling most jobs, while intensifying American industry's need for creative intelligence. In view of this new industrial revolution created by automation in the mid-twentieth century, women can and must participate in old and new fields of society in full equality--or become permanent outsiders.

EXHIBIT A-1



Despite all the talk about the status of American women in recent years, the position of women in the United States has declined, and is declining, to some degree throughout the 1950's and '60s. Although 46.4% of all American women between the ages of 18 and 65 now work outside the home, the overwhelming 75%--are in routine clerical, sales, or factory jobs, or they are housewives, cleaning women, hospital attendants. About two-thirds of Negro women are in the lowest paid service occupations. Working women are becoming more and more not less--concentrated on the bottom of the job ladder. As a consequence, women workers today earn on the average only 60% of what men earn, and the gap has been increasing over the past twenty-five years in every major industry. In 1964, of all women with a yearly income, 69% earned under \$5,000; only 1% of all full-time year round women workers earned less than \$3,690; only 1% of all full-time year round women workers had an annual income of \$10,000 or more.

Further, with higher education increasingly essential in today's society, women are entering and finishing college or going on to graduate or professional school. Today, women earn only one in three of the B.A.'s and M.A.'s and only one in ten of the Ph.D's.

In all the professions considered of importance to society, and in the executive ranks of industry and government, women are losing ground. Where they are present, they are only a token handful. Women comprise less than 1% of federal judges, less than 1% of all lawyers; 7% of doctors. Yet women represent 51% of the U.S. population. Increasingly, men are replacing women in the top positions in secondary and elementary schools, in social work, and in libraries--once thought to be a woman's world.

Official pronouncements of the advance in the status of women hide not only the extent of this dangerous decline, but the fact that nothing is being done to stop it. The excellent reports of the President's Commission on the Status of Women and the State Commissions have not been fully implemented. Such Commissions are only to advise. They have no power to enforce their recommendations. The freedom to organize American women and men to press for action on the reports of these commissions have, however, created a basis upon which it is possible to build.

Discrimination in employment on the basis of sex is now prohibited by Federal Title VII of the Civil Rights Act of 1964. But although nearly one-third of the cases brought before the Equal Employment Opportunity Commission during its first year dealt with sex discrimination and the proportion is increasing dramatically, the Commission has not made clear its intention to enforce the law with the same seriousness on behalf of women as of other victims of discrimination. Many of these cases were Negro women, who are the victims of the double discrimination of race and sex. Until now, too few women's organizations and official spokesmen have been willing to speak out against these dangers to women. Too many women have been restrained by the fear of being called "feminist."

There is no civil rights movement to speak for women, as there has been for Negroes and other victims of discrimination. The National Organization for Women must therefore begin to speak.

WE BELIEVE that the power of American law, and the protection given by the U.S. Constitution to the civil rights of all individuals, must be effectively applied and enforced to isolate and remove patterns of sex discrimination.

EXHIBIT A-1

THE NATIONAL ORGANIZATION FOR WOMEN (NOW).....3

ensure equality of opportunity in employment and education, and equality of civil and political rights and responsibilities on behalf of women, as well as for Negroes and other deprived groups.

We realize that women's problems are linked to many broader questions of social justice; their solution will require concerted action by many groups. Therefore, convinced that human rights for all are indivisible, we expect to give active support to the common cause of equal rights for all those who suffer discrimination and deprivation, and we call upon other organizations committed to such goals to support our efforts toward equality for women.

WE DO NOT ACCEPT the token appointment of a few women to high-level positions in government and industry as a substitute for a serious continuing effort to recruit and advance women according to their individual abilities. To this end, we urge American government and industry to mobilize the same resources of ingenuity and command with which they have solved problems of far greater difficulty than those now impeding the progress of women.

WE BELIEVE that this nation has a capacity at least as great as other nations, to innovate new social institutions which will enable women to enjoy true equality of opportunity and responsibility in society, without conflict with their responsibilities as mothers and homemakers. In such innovations, America does not lead the Western world, but lags by decades behind many European countries. We do not accept the traditional assumption that a woman has to choose between marriage and motherhood, on the one hand, and serious participation in industry or the professions on the other. We question the present expectation that all normal women will retire from job or profession for 10 or 15 years, to devote their full time to raising children, only to reenter the job market at a relatively minor level. This, in itself, is a deterrent to the aspirations of women, to their acceptance into management or professional training courses, and to the very possibility of equality of opportunity or real choice, for all but a few women. Above all, we reject the assumption that these problems are the unique responsibility of each individual woman, rather than a basic social dilemma which society must solve. True equality of opportunity and freedom of choice for women requires such practical, and possible innovations as a nationwide network of child-care centers, which will make it unnecessary for women to retire completely from society until their children are grown, and national programs to provide retraining for women who have chosen to care for their own children full-time.

WE BELIEVE that it is as essential for every girl to be educated to her full potential of human ability as it is for every boy--with the knowledge that such education is the key to effective participation in today's economy and that, for a girl as for boy, education can only be serious where there is expectation that it will be used in society. We believe that American educators are capable of devising means of imparting such expectations to girl students. Moreover, we consider the decline in the proportion of women receiving higher and professional education to be evidence of discrimination. This discrimination may take the form of quotas against the admission of women to colleges, and professional schools; lack of encouragement by parents, counsellors and educators; denial of loans or fellowships; or the traditional or arbitrary procedures in graduate and professional training geared in terms of men, which inadvertently discriminate against women. We believe that the same serious attention must be given to high school dropouts who are girls as to boys.

EXHIBIT A-1



THE NATIONAL ORGANIZATION FOR WOMEN (NOW).....4

WE REJECT the current assumptions that a man must carry the sole burden of supporting himself, his wife, and family, and that a woman is automatically entitled to lifelong support by a man upon her marriage, or that marriage, home and family are primarily woman's world and responsibility--hers, to dominate--his to support. We believe that a true partnership between the sexes demands a different concept of marriage, an equitable sharing of the responsibilities of home and children and of the economic burdens of their support. We believe that proper recognition should be given to the economic and social value of homemaking and child-care. To these ends, we will seek to open a reexamination of laws and mores governing marriage and divorce, for we believe that the current state of "half-equality" between the sexes discriminates against both men and women, and is the cause of much unnecessary hostility between the sexes.

WE BELIEVE that women must now exercise their political rights and responsibilities as American citizens. They must refuse to be segregated on the basis of sex into separate-and-not-equal ladies' auxiliaries in the political parties, and they must demand representation according to their numbers in the regularly constituted party committees--at local, state, and national levels--and in the informal power structure, participating fully in the selection of candidates and political decision-making, and running for office themselves.

IN THE INTERESTS OF THE HUMAN DIGNITY OF WOMEN, we will protest, and endeavor to change, the false image of women now prevalent in the mass media, and in the texts, ceremonies, laws, and practices of our major social institutions. Such images perpetuate contempt for women by society and by women for themselves. We are similarly opposed to all policies and practices--in church, state, college, factory, or office--which, in the guise of protectiveness, not only deny opportunities but also foster in women self-denigration, dependence, and evasion of responsibility, undermine their confidence in their own abilities and foster contempt for women.

NOW WILL HOLD ITSELF INDEPENDENT OF ANY POLITICAL PARTY in order to mobilize the political power of all women and men intent on our goals. We will strive to ensure that no party, candidate, president, senator, governor, congressman, or any public official who betrays or ignores the principle of full equality between the sexes is elected or appointed to office. If it is necessary to mobilize the votes of men and women who believe in our cause, in order to win for women the final right to be fully free and equal human beings, we so commit ourselves.

WE BELIEVE THAT women will do most to create a new image of women by acting now, and by speaking out in behalf of their own equality, freedom, and human dignity--not in pleas for special privilege, nor in enmity toward men, who are also victims of the current, half-equality between the sexes--but in an active, self-respecting partnership with men. By so doing, women will develop confidence in their own ability to determine actively, in partnership with men, the conditions of their life, their choices, their future and their society.

\*\*\*\*\*

[Filed 11/8/73]  
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

MARY NAGEOTTE, VINCENZA LINDA  
GRICE, PASHA BAKER, PAT PRUSAK,  
ELLEN MICHELSON, ELIZABETH ARES,  
MARGARET MOULTON, BEVERLY NEATROUR,  
VIRGINIA SWEENEY AND GENESEE VALLEY  
CHAPTER OF THE NATIONAL ORGANIZATION  
OF WOMEN,

Plaintiffs,

v.

THE LAWYERS COOPERATIVE PUBLISHING  
COMPANY,

Defendant.

Civil Action No. 1973-346

MOTION TO FILE PRIOR BRIEF AMICUS  
CURIAE IN CIVIL ACTION NO. 1973-  
238 AS A COMPANION BRIEF TO THIS  
CASE

The United States Equal Employment Opportunity Commission, through under-signed counsel, hereby moves this Court to file and include prior brief amicus curiae in Civil Action No. 1973-238 as a companion brief in this case for the following reasons:

1. The Equal Employment Opportunity Commission is the agency charged by Congress with the administration, interpretation and enforcement of Title VII of the 1964 Civil Rights Act, 42 U.S.C. §2000e - et seq., as amended by the Equal Employment Opportunity Act of 1972, P.L. 92-261, 86 Stat. 103 (March 24, 1972).
2. The Commission believes that the issue presented in this case-whether an organization may bring suit under Title VII on behalf of its members--is identical with the issue raised in the Loughney v. Lawyers Cooperative Publishing Company Civil Action 1973-238 in which the Commission filed a brief amicus curiae. The Commission requests that the views of the Commission in that brief should be read as a companion brief in the above cited case.

Wherefore the Commission respectfully requests the Court to join the previous brief amicus curiae as applying to this case also.



Respectfully submitted,

WILLIAM A. CAREY  
General Counsel

JOSEPH T. EDDINS, JR.  
ASSOCIATE GENERAL COUNSEL (Act'g)

BEATRICE ROSENBERG  
CHARLES L. REISCHEL

*Elsa Dir Glass*  
ELSA DIR GLASS  
Attorneys

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
1800 G Street, N.W.  
Washington, D.C. 20506

November 7, 1973

[Filed 11/19/73]

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NEW YORK

MARY NAGEOTTE, VINCENZA LINDA GRICE,  
PASHA BAKER, PAT PRUSAK, ELLEN MICHELSON,  
ELIZABETH ARES, MARGARET MOULTON,  
BEVERLY NEATROUR, VIRGINIA SWEENEY  
and GENESEE VALLEY CHAPTER OF THE  
NATIONAL ORGANIZATION OF WOMEN.

Plaintiffs,

v.

THE LAWYERS COOPERATIVE PUBLISHING COMPANY

Defendant.

Civil Action  
No. 1973-345

ORDER GRANTING MOTION TO FILE  
FORMER AMICUS BRIEF AS A  
COMPANION BRIEF IN ABOVE CASE

The Motion of the United States Equal Employment Opportunity Commission, having filed a previous brief in Civil Action No. 1973-238 and requesting that said brief be considered as filed in this cause.

It is Ordered that the United States Equal Employment Opportunity Commission is hereby granted leave to incorporate prior brief amicus curiae to said cited case.

Dated this \_\_\_\_ day of \_\_\_\_ 1973.



[Filed 3/25/74]

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

MARY MAGDOTTE, VINCEZZA LINDA GRICE,  
PASHA BAKER, PAT PRUSAK, ELLEN NICHOLSON,  
ELIZABETH ARCS, MARGARET MCULTON,  
BEVERLY HENTOUR, VIRGINIA SWEENEY  
and CENESSE VALLEY CHAPTER OF THE  
NATIONAL ORGANIZATION OF WOMEN,

Plaintiffs

- vs -

C.VIL 1973-346

THE LAWYERS COOPERATIVE PUBLISHING COMPANY,

Defendant

---

Emmelyn Logan-Baldwin  
19 Arnold Park  
Rochester, N.Y. 14607  
Attorney for plaintiffs

Nixon, Hargrave, Devans & Doyle  
Lincoln First Tower  
Rochester, N.Y. 14604  
Attorneys for defendant  
(John B. McCrory, of counsel)

Elsa Dik Glass  
Washington, D.C. 20506  
Attorney for Equal Employment Opportunity  
Commission (amicus curiae)

Defendant by motion filed October 15, 1973  
moves to dismiss the complaint. The motion has been  
submitted on written memoranda.

- 2 -

The motion is in all respects denied.  
United States vs. Students Challenging Regulatory  
Agency Procedures, et al, \_\_\_\_ U.S. \_\_\_\_, (Decided  
June 19, 1973).

SO ORDERED.

*Harold P. Burke*  
HAROLD P. BURKE  
United States District Judge

March 25, 1974.



[Filed 2/6/75]

Motion to Intervene of Equal Employment Opportunity Commission is  
reproduced supra at p. 245

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

MARY NAGEOTTE, GENESEE VALLEY CHAPTER  
OF THE NATIONAL ORGANIZATION FOR WOMEN et al.

Plaintiffs,

and

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Applicants for Intervention,

vs.

LAWYERS COOPERATIVE PUBLISHING COMPANY, INC.

Defendant.

) AFFIRMATION

) IN SUPPORT OF

) APPLICATION

) FOR INTERVENTION

) Civil Action No.

) 1973 - 346

Emmelyn Logan-Baldwin, under penalties of perjury,  
affirms the following:

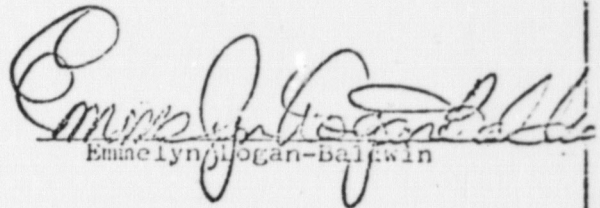
1. I am an attorney at law duly licensed to practice my profession in the State of New York. I am admitted to the bar of this court. I am the attorney for the plaintiffs in the above noted lawsuit. This affirmation is submitted in support of the motion of the Equal Employment Opportunity Commission to intervene in this lawsuit and to add all parties plaintiff in this lawsuit and in Loughney and Genesee Valley Chapter of the National Organization for Women vs. Lawyers Cooperative Publishing Company as plaintiffs in Blowers, individually and on behalf of all other persons similarly situated vs. Lawyers Cooperative Publishing Company et al., as previously requested by all plaintiffs in this and the Loughney case by motion made in the Blowers case of April 6, 1973.

2. The reasons for the court's granting the application of the Equal Employment Opportunity Commission to intervene in this lawsuit and in the Loughney lawsuit and for the court's granting the previous motion, April 6, 1973, to make all parties in the Blowers, Loughney and Nageotte cases named plaintiffs in one class



action lawsuit are set forth in the separately filed Affirmation in Support of Application for Intervention, dated February 7, 1975. A copy of that affirmation is attached hereto and made a part hereof as exhibit A.

For these reasons, plaintiffs respectfully request that the court grant the application of the Equal Employment Opportunity Commission to intervene in this lawsuit and the motion that all parties in this lawsuit and the Loughney litigation be added as named plaintiffs in the Blowers litigation with the litigation being designated a class action.

  
Emmelyn Logan-Baldwin

February 7, 1975

Rochester, New York

Exhibit A is reproduced supra at p. 410



[Filed 2/20/75]

UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NEW YORK

MARY NAGEOTTE, et al,

Plaintiffs,

-vs-

LAWYERS CO-OPERATIVE PUBLISHING  
COMPANY, INC.,

Defendant.

AFFIDAVIT IN  
OPPOSITION TO  
MOTION TO  
INTERVENE  
CIV 1973-346

STATE OF NEW YORK:  
COUNTY OF MONROE : SS:  
CITY OF ROCHESTER:

DONALD S. BENNETT, being duly sworn, deposes and says:

1. I am a Vice President and Director of Personnel of The Lawyers Co-Operative Publishing Company and am familiar with the facts of this action.

2. At no time has the United States Equal Employment Opportunity Commission investigated any charge of discrimination against The Lawyers Co-Operative Publishing Company.

3. No representative of the United States Equal Employment Opportunity Commission has ever contacted me or any other representative of The Lawyers Co-Operative Publishing Company with reference to sex discrimination charges pending before the EEOC or now pending before the United States District Court for the Western District of New York, including the charges of the plaintiffs herein.

Sworn to before me this  
13 day of February, 1975

/s/ J. Alan Berk N.P.

/s/ Donald S. Bennett  
DONALD S. BENNETT

[Filed 2/24/75]

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

MARY KAGEOTTE,

Plaintiff

- vs -

CIVIL 1973-346

LAWYERS COOPERATIVE PUBLISHING COMPANY,  
INC.,

Defendant

---

Emmelyn S. Logan-Baldwin  
510 Powers Building  
Rochester, N.Y. 14614  
Attorney for plaintiff

Nixon, Hargrave, Devans & Doyle  
Lincoln First Tower  
Rochester, N.Y. 14603  
Attorneys for Defendant

Charlyn J. Duss  
Trial Attorney  
Equal Employment Opportunity Commission  
1206 New Hampshire Avenue, N.W.  
Washington, D.C. 20506

By written motion filed February 6, 1975.

Equal Employment Opportunity Commission moves for leave to intervene as a party plaintiff. The motion is in all respects denied in the exercise of discretion. See decision of this date in *Blowers vs. Lawyers Cooperative Publishing Company, Inc., et al.*, Civil 1973-47.



- 2 -

SO ORDERED.

*Harold P. Burke*

HAROLD P. BURKE  
United States District Judge

February 21, 1975.

~~[Filed 3/18/75]~~

NOTICE  
OF  
APPEAL

CIVIL ACTION  
NO. 1973-34

-v-

Defendant.

Executive James Baldwin

March 11, 1975



UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

EULA LEE BLOWERS, individually and on behalf  
of all other persons similarly situated,

Plaintiff,

- V -

LAWYERS COOPERATIVE PUBLISHING COMPANY, et al

Defendants

\*\*\*\*\*

PATRICIA LOUGHNEY, et al

Plaintiffs,

-v-

LAWYERS COOPERATIVE PUBLISHING COMPANY,

Defendant

Defendant

MARY NAGEOTTE, et al

Plaintiffs,

-v-

LAWYERS COOPERATIVE PUBLISHING COMPANY

Defendant

# INDEX TO RECORD

ON APPEAL

Civil Action  
Nos. 1973-47,  
1973-238,  
1973-346

EULA LEE BLOWERS, INDIVIDUALLY AND ON BEHALF  
OF ALL OTHER PERSONS SIMILARLY SITUATED

- v -

LAWYERS COOPERATIVE PUBLISHING COMPANY, et al

1. Complaint filed January 29, 1973
2. Summons

3. Answer and Affidavit of Service
4. Defendants' Notice of Deposition
5. First interrogatories propounded by defendants
6. Plaintiff's Cross Notice of Depositions
7. Plaintiff's Notice of Motion, dated March 22, 1973  
*of March 22, 1973*
- 7.A Defendants' Notice of Objection, dated March 23, 1973
8. Defendants' Notice of Motion, dated April 2, 1973
9. Defendants' Notice of Motion, dated April 2, 1973
10. Defendants' Notice of Motion, dated April 2, 1973
- 10.A Plaintiff's opposing affidavit, dated April 6, 1973
11. Plaintiff's Notice of Motion, dated April 6, 1973
12. Defendants' Affidavit, dated April 19, 1973
- 12.A Plaintiff's Supplemental Affidavit, dated April 19, 1973
- 12.B Application of Equal Employment Opportunity Commission to appear amicus curiae, dated April 27, 1973
- 12.C Plaintiff's affidavit dated April 27, 1973
13. Order and Decision of the Honorable Harold P. Burke, dated November 6, 1973
14. Defendants' second interrogatories, dated January 11, 1974
15. Plaintiff's Notice of Motion, dated February 11, 1974
16. Defendants' answering affidavit, dated March 8, 1974
17. Plaintiff's Notice of Motion, dated April 3, 1974
18. Plaintiff's Notice to Produce, dated April 3, 1974
19. Plaintiff's first interrogatories, dated April 3, 1974
20. Defendants' answering affidavit, dated April 18, 1974
21. Defendants' Notice of Motion, dated April 17, 1974



22. Plaintiff's affirmation, dated April 20, 1974
23. Plaintiff's Notice of Motion, dated May 7, 1974
24. Defendants' answering affidavit, dated May 16, 1974
- 24.A Plaintiff's subpoena of Donald Bennett, dated May 16, 1974
25. Plaintiff's supplemental affirmation, dated May 17, 1974
26. Plaintiff's affirmation, dated May 17, 1974
27. Plaintiff's subpoena of Antoinette Ruffner, dated May 18, 1974
28. Plaintiff's subpoena of Millard Rutherford, dated September 13, 1974
29. Plaintiff's subpoena of Donald Bennett, dated September 17, 1974
30. Notice of Motion of Equal Employment Opportunity Commission to intervene, dated October 22, 1974
31. Plaintiff's affidavit, dated November 5, 1974
32. Defendants' affidavit, dated November 7, 1974
33. Defendants' Notice of Motion, dated December 4, 1974
34. Plaintiff's Notice of Cross Motion, dated December 20, 1974
35. Notice of Motion of Equal Employment Opportunity Commission to intervene and to consolidate, dated February 4, 1975
36. Certificate of Service of Equal Employment Opportunity Commission Notice of Motion, February 5, 1975
37. Plaintiff's reply affirmation, dated February 10, 1975
38. Plaintiff's attorney's letter to the Honorable Harold P. Burke, dated February 17, 1975
39. Decision and Order of the Honorable Harold P. Burke, dated February 21, 1975
40. Plaintiff's Notice of Appeal, dated March 11, 1975
41. Notice of Appeal of Equal Employment Opportunity Commission, dated March 25, 1975

PATRICIA LOUGHNEY, et al  
-v-  
LAWYERS COOPERATIVE PUBLISHING COMPANY

42. Complaint, filed May 5, 1973
43. Summons
44. Defendants' Notice of Motion, dated June 21, 1973
45. Plaintiffs' affidavit dated July 5, 1973
46. Plaintiffs' Amendment to Complaint, dated July 9, 1973
47. Notice of Motion of Equal Employment Opportunity Commission to appear amicus curiae, dated July 23, 1973
48. Decision and Order of the Honorable Harold P. Burke, dated November 6, 1973
49. Defendants' answer and first interrogatories, dated January 8, 1974
50. Plaintiffs' Notice of Motion dated February 8, 1974
51. Plaintiffs' Notice to Produce, dated February 8, 1974
52. Plaintiffs' Notice of Deposition, dated February 8, 1974
53. Defendants' Notice of Motion, dated February 15, 1974
54. Plaintiffs' reply affirmation dated February 22, 1974
- 54.A Defendants' response to Notice to Produce, dated March 11, 1974
55. Decision and order of the Honorable Harold P. Burke, dated October 29, 1974
56. Plaintiffs' answers to defendant's first interrogatories, dated December 2, 1974
57. Plaintiffs' Notice of Motion, dated December 18, 1974
58. Plaintiffs' Notice of Motion, dated January 20, 1975
59. Defendant's affidavit, dated January 27, 1975



- 59.A Defendants' affidavit, dated January 29, 1975
- 59.B Affidavit of Equal Employment Opportunity Commission, dated January 29, 1975
- 59.C Plaintiffs' affirmation, dated January 31, 1975
- 60. Notice of Motion of Equal Employment Opportunity Commission to intervene filed February 6, 1975
- 61. Plaintiffs' affirmation, dated February 7, 1975
- 62. Defendant's affidavit, dated February 13, 1975
- 63. Order and decision of the Honorable Harold P. Burke, dated February 21, 1975
- 64. Plaintiffs' Notice of Appeal, dated March 11, 1975

MARY NAGEOTTE, et al

-v-

LAWYERS COOPERATIVE PUBLISHING COMPANY

- 65. Complaint filed July 12, 1973
- 66. Summons
- 67. Defendant's Notice of Motion, dated October 12, 1973
- 68. Notice of Motion of Equal Employment Opportunity Commission to file brief amicus curiae, dated November 7, 1973
- 69. Plaintiffs' affidavit, dated October 23, 1973
- 70. Plaintiff's affidavit, dated October 29, 1973
- 71. Order granting amicus curiae status to Equal Employment Opportunity Commission, dated November 18, 1973
- 72. Order and decision of the Honorable Harold P. Burke, dated March 25, 1974
- 73. Defendant's answer dated April 8, 1974
- 74. Notice of Motion of Equal Employment Opportunity Commission to intervene, filed February 6, 1975
- 75. Plaintiffs' affirmation, dated February 7, 1975

- 76. Defendant's affidavit, dated February 13, 1975
- 77. Order and decision of the Honorable Harold P. Burke, dated February 21, 1975
- 78. Plaintiffs' Notice of Appeal, dated March 11, 1975
- 79. Transcript of Proceedings, May 20, 1974
- 80. Transcript of Proceedings, September 20, 1974

EXHIBITS

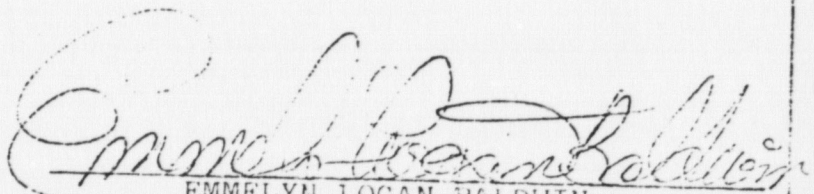
1-40

Plaintiffs' Exhibits

1-40

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Defendants' Exhibit 2



EMMELYN LOGAN-BALDWIN  
Counsel for Plaintiffs  
510 Powers Building  
Rochester, New York 14611  
Telephone: 716/232-2292

April 24, 1975

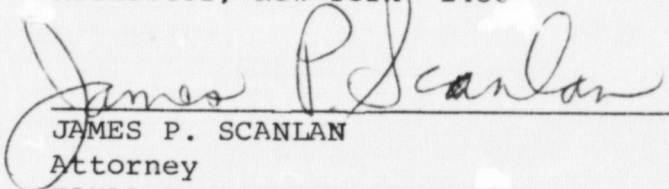


CERTIFICATE OF SERVICE

It is hereby certified that copies of the attached  
Joint Appendix in three volumes have this day been mailed,  
postage-prepaid, to the following counsel record.

EMMELYN S. LOGAN-BALDWIN, Esq.  
510 Powers Building  
Rochester, New York 14614

JOHN B. McCRORY, Esq.  
JAMES H. MORGENSTERN, Esq.  
NIXON, HARGRAVE, DEVANS  
& DOYLE  
Lincoln First Tower  
Rochester, New York 14603

  
JAMES P. SCANLAN  
Attorney  
EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION  
2401 E Street, N.W.  
Washington, D. C. 20506

May 30, 1975